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HANSARD'S

PARLIAMENTARY DEBATES:

THIRD SERIES,

COMMENCING WITH THE ACCESSION OF

WILLIAM IV.

10° & 11° VICTORIÆ, 1847.

VOL. XCIV.

COMPRISING THE PERIOD FROM

THE SEVENTH TO THE TWENTY-THIRD
DAY OF JULY, 1847.

Sixth and last Volume of the Session.

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1847.

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HANSARD'S

PARLIAMENTARY DEBATES,

IN THE *SEVENTH SESSION* OF THE *FOURTEENTH PARLIAMENT* OF THE UNITED KINGDOM OF *GREAT BRITAIN* AND *IRELAND*, APPOINTED TO MEET 11 NOVEMBER, 1841, AND FROM THENCE CONTINUED TILL 19 JANUARY, 1847, IN THE TENTH YEAR OF THE REIGN OF

HER MAJESTY QUEEN VICTORIA.

SIXTH AND LAST VOLUME OF THE SESSION.

HOUSE OF COMMONS,

Wednesday, July 7, 1847.

MINUTES.] PUBLIC BILLS.—1° Collieries.
2° Poor Removal Act Amendment (No. 2); Naturalisation of Aliens.
Reported.—Vexatious Actions; Stock in Trade Exemption.

PETITIONS PRESENTED. By Mr. Bateson, from Londonderry, for the Better Observance of the Lord's Day.—By Mr. Mackinnon, from James Logan, respecting the Appointment of Professors of the Gaelic Language.—From Frederic Foveane Weiss, of No. 62, Strand, London, for the Production of Papers relating to the London and Birmingham Extension, Northampton, Daventry, Leamington, and Warwick Railway Bill, and Warwick and Birmingham Canal Railway Bill (1846).—From Barnett, Hoares, and Company, and others, for the Removal of Smithfield Market.

ARGYLE CANAL—GRANT OF MONEY.

MR. PARKER moved that the Committee on the Argyle Canal Bill have leave to sit and report to-morrow (Thursday).

MR. CHRISTOPER opposed the further progress of the measure; it involved the expenditure of 140,000*l.* of public money, and ought not to be carried through as a private Bill.

The CHANCELLOR OF THE EXCHEQUER observed, as objection was raised, it would be better to discharge the order for referring this in the usual way as an unopposed Bill, and he would to-morrow move to refer it to a Committee differently constituted.

MR. T. DUNCOMBE thought it ought not to be referred to any Committee at all, but deferred to next Session. It was suggested that it would relieve the suffering Highlanders; perhaps if "the suffering canal company" were substituted, that would be nearer the truth. The Thames job was, it seemed, to be followed by a Scotch job.

SIR J. GRAHAM had not the least notion, until that morning, of the nature of this measure. Perhaps the Chancellor of the Exchequer would be good enough to say, whether the question of the grant of this money had ever been submitted to the House in the miscellaneous estimates, or in any other manner.

MR. S. WORTLEY thought it was right to withdraw the Bill under present circumstances; but, at the same time, he begged to say, that this measure was of the highest importance to the whole of the west coast of Scotland, where the navigation was very dangerous, and the existing canals so narrow and inefficient, that he hoped Government would persevere with it next Session. He thought it ought to have the support of the noble Lord the Member for Lynn, as it was carrying out the application of his measure with regard to Irish railways.

Lord G. BENTINCK: The hon. Member for Bute has mistaken my proposition so far as regarded Ireland. I never proposed that the Government should undertake themselves any work whatever, or that where railway companies could give good security the Government should themselves undertake them. But what is the case here? It is that where there is already one canal, the Crinan canal, running parallel with this proposed canal, to which the Government has already contributed the sum of 70,000*l.*, lent upon the security of tolls; and now the Government come forward and propose to take under their own care the construction of another canal, which is to be constructed in rivalry of this Crinan canal. Why, the two canals would be in distinct rivalry; and clear it is that if the Argyle canal is to be constructed, it will take away the whole traffic of the Crinan canal, and totally annihilate the security which the Government hold for the 70,000*l.* they have lent to the Crinan canal. We object to the measure on this ground, that it differs altogether from the measure which I proposed early in the Session for the purpose of stimulating private enterprise; but this proposition is intended to construct a work on the responsibility of Government by six successive instalments of public money of 25,000*l.* each; and this new work is alleged—I know not with what reason—but it is alleged that it is not a measure for the general advantage of the Highlands, but it is intended for the special advantage of one private individual, Mr. Campbell, of Islay. That is the charge of my hon. Friends around me. In that it differs altogether from the proposition which I made to the House. You talk of employing the destitute Highlanders. Why, they have been destitute up to the present moment; but before this measure can be applied, the destitution will have passed away. If, indeed, it had been intended by this measure to give compensation to Lord Macdonald and to M'Leod of M'Leod, for their unparalleled exertions on behalf of the suffering poor, I should have made no objections. But here, where it is proposed to give 147,950*l.*, which it is alleged will be chiefly for the advantage of a single proprietor, I do think that the matter stands on different grounds than have been made in the House. But, after all, what we chiefly complain of is this—that it has been attempted to smuggle this measure through the House as a private Bill—or, as it was happily described by the late Chairman of Private Committees, that it is a Bill of a hybrid nature. Under these circumstances I trust that the House will reject the Bill.

Mr. BAINE thought this Bill had, to say the least of it, a very suspicious appearance. It was introduced just a week ago, and he believed was entirely unknown to the great majority of those whom it professed to benefit. The Bill professed to be for the advantage of the ports of the Clyde, those ports being Greenock, Port-Glasgow, and Glasgow; but he would venture to say that there was scarcely an individual in those towns who was at all aware of such a Bill. He knew something of the locality, and he firmly believed that the proposed canal would be, as an investment of capital, totally unproductive. At all events, the measure was one that ought to be fully inquired into before it was sanctioned by Parliament.

Mr. HUME thought Ministers should produce the Minute of Treasury consenting to the advance of this money. He wanted to know what inducement they could have, in the present state of the Exchequer, to agree to this grant; and he strongly suspected that if they once began, they would just be following up the course pursued with regard to the Caledonian Canal. It was represented as a measure for the relief of the suffering Highlanders; but it was more likely to be one for the benefit of Highland lairds. In the case of the Caledonion Canal, that undertaking had given increased value to the properties through which it went, and afforded great facilities for the transmission of wood and other produce of the land; but, nevertheless, they were obliged to pay to the Highland lairds from 30,000*l.* to 40,000*l.* for the land which was required to form the canal. This measure, he maintained, would not be of advantage to the Highlands; and the hon. Member for Greenock (Mr. Baine) had told them that it would be of no advantage to the commercial classes. The House ought, therefore, to mark its sense of the impropriety of the whole proceeding, and teach Ministers that, if they would not do what was correct and proper, they would at least not be countenanced by that House in doing what was not correct. It was with pain that he made these statements with reference to those whom he usually supported; but he felt himself compelled by a sense of duty. He moved that the debate be adjourned to that day three months.

.MR. WILLIAMS considered that nothing could be more discreditable to the Government than the present job. When the Crinan Canal was projected, the line of the canal now proposed was examined, and that of Crinan preferred. The parties who established that company, however, found that it was a losing concern, instead of paying, as had been expected, 15 per cent upon the outlay. The canal now projected would not be a more profitable concern.

The CHANCELLOR OF THE EXCHEQUER did not expect that, on the withdrawal of a Motion as informal, a discussion would have arisen upon the merits of the question. He had not entered on the merits of the case; but finding that other Gentlemen had not exercised the same forbearance, he would now, in a few words, explain what the views of the Government were. The state of the case was simply this: Early in the year applications were made to Government that they should undertake some works by which employment might be given to labourers in the Highlands. Some gentlemen, who had taken great pains in affording work and relief to the destitute, among others Mr. Campbell of Islay, came to him and stated that the people of the Highlands were in extreme distress; and suggested that some undertaking of public advantage like the present should be commenced by which employment would be given. The Government sent down Sir Edward Belcher, a competent officer, to report on the subject which had been thus brought under their notice. That officer inspected the Crinan Canal; and his report was, that that canal it was impossible to improve so as to make it a ship canal; and that for such a purpose a totally new canal must be made on different ground, and at an expense of not less than 500,000*l*. An engineer of high eminence, who had been employed in Ireland, was sent down to examine the proposal now before the House; and on receiving all the information which could be derived from these sources, the Government did not delay in coming to a conclusion. They would certainly never have dreamed of undertaking this work, unless for the purpose of giving employment to the people of the Highlands. It had been stated to the Government by proprietors in the Highlands—and he could not speak in too high terms of the manner in which the Highland proprietors had provided work and relief for the people—it was represented that as there would not be the same amount of potatoes planted this summer as usual, it would be beyond their power in these circumstances to give the necessary employment to the population. Now, it was felt by the Government that if they could give employment to the labourers in the Highlands, and at the same time do that which would be of great public utility, they were called upon to do so; and, therefore, he thought they did not deserve to be told that this was a mere job for the advantage of a single proprietor. All the papers connected with the subject were before the House; and more decided evidence of the necessity of the case, he would venture to say, could hardly have been given. He would not, however, go further with the Bill till he obtained the consent of the House to the vote in a Committee of Supply.

SIR J. GRAHAM did not wish to forestall the decision on the vote; but he must say, that, having voted against 620,000*l*. being given for railways in Ireland, and considering the present condition of the country, he was not prepared to vote a grant of 150,000*l*. for the formation of a canal in Argyleshire.

Motion and Amendment withdrawn, and the order for committing the Bill discharged.

TREASURY INFLUENCE AT ELECTIONS.

On the Order of the Day for Committee on the Registration of Voters Bill,

MR. BANKES said: I wish to ask the hon. Gentleman the Secretary for the Treasury whether he acknowledges a letter purporting to be signed by him, which I have seen published in a Scotch newspaper; and I think the question is particularly appropriate at this moment, since the first two Orders of the Day are the Registration of Voters Bill, and the Parliamentary Electors Bill. The letter is as follows:—

"Treasury, Whitehall, June 27, 1847.

My dear Melgund—Understanding that it has been denied that any Government influence was exercised to prevent you originally from standing for Greenock, I think it right that your opponents should know that in consequence of representations that were made to myself and others respecting the state of parties in the borough, and the feelings that were entertained on this subject in other quarters, I certainly authorized a strong remonstrance being made to you, and endeavoured by every means in my power to dissuade you from coming forward as a candidate.—I am, yours truly, (Signed) "H. TUFNELL."

The questions I have to put are, first, does the hon. Gentleman acknowledge that letter as written by him in his official capacity of Secretary to the Treasury, it being dated, "Treasury, Whitehall?" secondly, what are the means in his power which he used to dissuade Lord Melgund from coming forward as a candidate? and, thirdly, did he write that letter with the authority of the First Lord of the Treasury, the author of the Reform Bill?

MR. TUFNELL: As far as my recollection enables me to say, I believe the letter just quoted is a correct copy of a private communication which I sent to Lord Melgund. As soon as I found that that letter had been published in a newspaper, I wrote to Lord Melgund, expressing my surprise that a private communication from one friend to another, should have found its way into a public journal. The means which I referred to were such arguments of discussion as one friend might properly use towards another; and of course it was written without consulting the noble Lord at the head of the Government.

LORD G. BENTINCK: I should like to ask, Sir, what explanation the hon. Gentleman gives of the words "the Government influence." I want to know of what that consists, and how it is used. I wish also to call the hon. Gentleman's attention to the fact that in this letter, which he represents to be private, he says, "I think it right your opponents should know." It would seem as if Lord Melgund's opponents should be made acquainted with the contents of "a private letter."

MR. HUME: I really do interpose. I think to occupy the time of the House with private matters of this kind is most unfair. It may be the noble Lord's turn by and by. I really do not think it honourable to Lord Melgund or his friends that they should have published that letter.

MR. BANKES: I put the question because I saw the letter published in the public newspapers.

Question again put, that the Order of the Day be read for the commitment of

THE REGISTRATION OF VOTERS BILL.

MR. V. SMITH rose to move as an Amendment, that the Bill should be committed that day three months. He thought that the opinion of the Committee from which the Bill emanated—a Committee in reality appointed with the view of inquiry into the votes made by the Anti-Corn-Law League—was entitled to very little weight, on account of the want of unanimity which prevailed amongst its members; for example, here was a question whether objection on account of double entry should be a good one—a most important question, involving a new form of objection, which was in his opinion very much calculated to limit the franchise. Upon that question, so important, there were only six Members present, and it was decided upon the authority of four against two; and this want of unanimity was observable throughout the whole of their proceedings. It would be impossible to proceed with the Bill during the present Session. The hon. and learned Gentleman the Member for Midhurst had himself introduced nine important amendments in the Bill, which there would not be time to discuss. He trusted, therefore, that the hon. and learned Gentleman would postpone the Bill altogether till the ensuing Session of Parliament.

MR. WALPOLE said, that the Bill had been read a second time two months ago, and had been eight successive Wednesdays on the Paper for going into Committee; and his object for going into Committee was that the clauses should receive the just consideration to which they were entitled, before the measure passed into law. He was, therefore, still very anxious that the House should go into Committee, and discuss the several clauses of the Bill.

After some discussion relating chiefly to the possibility of passing the Bill in the present Session, the Committee was deferred till next day.

PARLIAMENTARY ELECTORS BILL.

MR. T. DUNCOMBE moved the Second Reading of the Parliamentary Electors Bill.

SIR G. GREY was not aware that the Bill had been committed to the charge of the hon. Member for Finsbury; but if the hon. Member persevered in his Motion, he should be obliged to resist its further progress.

Mr. T. DUNCOMBE said, that the two hon. Members whose names were on the back of the Bill, were not present, and the Bill was now in the hands of the House. Seeing, however, that it was the wish of the right hon. Baronet the Home Secretary that the Bill should not be proceeded with that day, he would not object to a postponement till next day, if it were arranged that the measure should then be positively proceeded with.

Mr. S. O'BRIEN begged to object to the Motion being withdrawn. He should certainly take the sense of the House on the subject.

Sir JAMES GRAHAM said, he believed there was as yet no amendment moved to the Motion that the Bill be read a second time. He believed this Bill had been under discussion in the course of last Session; and, entertaining a strong objection to it, he felt it his duty then to give his opposition to it. He was still of the same opinion, and should feel it to be his duty to vote against the second reading of the Bill before the House; but at the same time, he thought it was rather hard to press a measure forward in the absence of the hon. Members who had charge of it, and that it was well for the House to display a mutual courtesy on such occasions. Therefore, though there was no Member in the House more opposed to the Bill than he was, he should beg to move, as an Amendment, that the Order of the Day be postponed until to-morrow.

Mr. T. S. DUNCOMBE explained. He was asked to give his support to this Bill after his own had been thrown out; and he was convinced that if not persevered in, great dissatisfaction would be occasioned in the public mind. If those by whom the Bill had been introduced, now proposed to withdraw it, he should certainly give them his strongest opposition. He did not see why it could not now be read a second time, and afterwards considered in Committee, as it contained but one clause, which could be easily disposed of any day. [Sir De Lacy Evans *here entered the House.*] Knowing as he did the anxiety of his hon. and gallant Friend to pass this Bill, he hoped he would persevere in moving the second reading, and that the right hon. Baronet would not press his Amendment.

Mr. STAFFORD O'BRIEN begged to explain, in the presence of the hon. and gallant Gentleman, his reasons for pressing the Motion. He adopted that course because he thought the hon. and gallant Member had been wanting in his duty to the House in absenting himself at three o'clock, when a Bill, on the back of which his name was appended, stood second on the orders of the day.

Sir JAMES GRAHAM brought forward the Amendment in consequence of the absence of the hon. and gallant Officer; but, seeing him now in his place, he would, with the leave of the House, beg to withdraw his Amendment.

Amendment withdrawn.

Sir De LACY EVANS expressed his acknowledgments to his hon. Friend the Member for Finsbury for taking care of his property in his absence, and to the hon. Member for Northamptonshire for the manner in which he had criticised his conduct. He had been engaged, however, that day in opposing what he believed to be a decided job; and, hearing hon. Gentlemen making very long speeches on a former question, he thought he might safely venture to absent himself from the House for half an hour in order to meet some of his constituents. As it was a rare thing at this period of the Session to see so full a House, he should feel it his duty to move the second reading of the Bill. Having had several opportunities of stating his reasons for thinking such a measure as the present necessary, he would not now trouble the House by entering at any length into the question. He would merely observe, that so far from interfering with the Reform Bill, it only carried out the principle of that great measure. Persons of the highest condition in society were constantly excluded from the franchise by reason of the very limited period now allowed by the law for the payment of rates and taxes; and he did not think the extension of the time for which taxes were payable, from April to October, which this Bill contemplated, was too long. The only objection which he could conceive to such a provision, was that entertained by those who thought that it was desirable to restrict the electors to as small a number as possible.

The House divided:—Ayes 67; Noes 72: Majority 5.

List of the Ayes.

Aglionby, H. A.
Arundel and Surrey, Earl of
Baine, W.
Bannerman, A.
Baring, rt. hon. F. T.
Berkeley, hon. H. F.
Bernal, R.
Blake, M. J.
Bowring, Dr.
Brotherton, J.
Brown, W.

Browne, hon. W.
Buller, C.
Buller, E.
Colebrooke, Sir T. E.
Dalrymple, Capt.
Duncan, G.
Dundas, Adm.
Dundas, F.
Escott, B.
Ferguson, Sir R. A.
Ferrand, W. B.
Forster, M.
Gore, hon. R.
Grey, rt. hon. Sir G.
Grosvenor, Lord R.
Hallyburton, Ld. J.F.G.
Hatton, Capt. V.
Hawes, B.
Hervey, Lord A.
Hindley, C.
Hobhouse, rt. hn. Sir J.
Hume, J.
Jervis, Sir J.
Macaulay, rt. hon. T. B.
Maule, rt. hon. F.
Moffatt, G.
Molesworth, Sir W.
Monahan, J. H.
Morris, D.
Morison, Gen.
Norreys, Sir D. J.
Osborne, R.
Parker, J.
Pechell, Capt.
Perfect, R.
Pinney. W.
Plumridge, Capt.
Protheroe, E. D.
Pusey, R.
Rich, H.
Sheil, rt. hon. R. L.
Smith, rt. hon. R. V.
Somerville, Sir W. M.
Strutt, rt. hon. E.
Tancred, H. W.
Thornely, T.
Trelawny, J. S.
Troubridge, Sir E. T.
Tufnell, H.
Villiers, hon. C.
Vivian, J. H.
Wakley, T.
Walker, R.
Ward, H. G.
Williams, W.
Wood, rt. hon. Sir C.

TELLERS.
Evans, Sir de L.
Duncombe, T.

List of the Noes.

Acland, Sir T. D.
Adderley, C. B.
Arkwright, G.
Austen, Col.
Bankes, G.
Bennet, P.
Bentinck, Lord G.
Bodkin, W. H.
Boldero, H. G.
Botfield, B.
Bowles, Adm.
Brooke, Lord
Buck, L. W.
Carew, W. H. P.
Christopher, R. A.
Clive, Visct.
Codrington, Sir W.
Colville, C. R.
Courtenay, Lord
Denison, E. B.
Dickinson, F. H.
Dodd, G.
Duckworth, Sir J. T. B.
Duncombe, hon. A.
East, Sir J. B.
Estcourt, T. G. B.
Fellowes, E.
Fitzroy, hon. H.
Floyer, J.
Frewen, C. H.
Fuller, A. E.
Gardner, J. D.
Graham, rt. hon. Sir J.
Granby, Marq. of
Greene, T.
Grogan, E.
Hamilton, G. A.
Hamilton, Lord C.
Henley, J. W.
Hildyard, T. B. T.
Hill, Lord E.
Hotham, Lord
Houldsworth, T.
Inglis, Sir R. H.
Jermyn, Earl
Jolliffe, Sir W. G. H.
Jones, Capt.
Lawson, A.
Lowther, hon. Col.
Lygon, hon. Gen.
Manners, Lord C. S.
Miles, P. W. S.
Mundy, E. M.
O'Brien, A. S.
Pakington, Sir J.
Palmer, G.
Powell, Col.
Prime, R.
Rashleigh, W.
Repton, G. W. J.
Rolleston, Col.
Round, J.
Seymer, H. K.
Stuart, J.
Thornhill, G.
Tollemache, J.
Verner, Sir W.
Vyse, H.
Waddington, H. S.
Walpole, S. H.
Worcester, Marq. of
Wortley, hon. J. S.

TELLERS.
Newdegate, C. N.
Spooner, R.

Bill thrown out.

POOR REMOVAL ACT AMENDMENT (No. 2) BILL.

Mr. W. H. BODKIN moved the Second Reading of this Bill. Without entering at all into the question of the law of settlement, he thought it must be obvious that some remedy was required for the evils inflicted on certain classes of the poor by the Bill of last Session. Poor persons, who were previously supported by their own parishes while they resided in adjoining parishes, were now neglected, or left no resource except the workhouse; and he thought the simplest way to obviate this evil was to adopt the course proposed to be taken by the Bill before the House, namely, to make the common fund of the union available for the maintenance of such persons. This plan, though by no means a universal remedy for the evils of the Poor Removal Act, would, he thought, disarm a great deal of the opposition which had been raised to that measure.

Mr. CHRISTOPHER admitted the simplicity of the Bill; but then there could be nothing more simple in principle than to abolish the whole parochial system of England altogether. He thought the Bill advanced a step in that direction, and tended to the establishment of a national rating, and he therefore objected to it. He would not, however, carry his opposition so far as to object to the second reading.

Sir G. GREY approved of the principle of the measure; the main objection to it seemed to be that it did not go far enough, leaving untouched some of the evils arising from the present system.

Mr. WAKLEY considered that the hon. and learned Member for Rochester had done an essential public service in proposing this Bill; and he also thought that much credit was due to the Government for the ready assent they had given to the introduction of the measure. It was admitted that there were two grievances under the existing law; the one being the burden of the expense which was thrown upon particular parishes, and the other the treatment of the poor induced by that expenditure. This Bill, however, would meet both those difficulties. In his opinion, all that had taken place with reference to this subject of late years tended to show the necessity of making the charge of maintaining the poor a national charge. He believed the poor would never be properly treated until such an arrangement was made.

Bill read a second time.

House adjourned at a quarter before Six o'clock.

HOUSE OF LORDS,

Thursday, July 8, 1847.

Minutes.] Public Bills.—1ª Shannon Navigation (Ireland); Joint Stock Companies: Charitable Trustees.

MESSAGES FROM THE COMMONS.

Messengers from the Commons brought up several Bills. They were thus occupied about ten minutes, when

Lord BROUGHAM rose and said, he wished once more seriously to put it to their Lordships whether the time might not at length arrive when they should come to an end of a nuisance that was becoming most intolerable. They were now about to occupy three quarters of an hour in one of the most useless of all useless ceremonies that could possibly be performed, and that at a time when every minute was of the greatest value. They had a great deal to do that night, and every night until the end of the Session, and yet they were thus occupying their time, at that period of the evening, in that period of the Session. If his noble Friend opposite would grant him a Committee on that point, they might on the next morning present a report, getting rid of this nuisance for the remainder of the Session.

The Marquess of LANSDOWNE made a few observations in reply, which were not heard in the gallery.

Lord BROUGHAM: Then I move an Amendment on the Motion (that the Messenger be called in), that the Messenger be not called in.

Lord REDESDALE made a few remarks, to the effect, as was understood, that the matter was already before a Committee, as well as other matters relating to the Standing Orders.

Lord BROUGHAM: It has nothing to do with the Standing Orders.

The subject then dropped.

THE FINE ARTS.

Lord BROUGHAM begged leave to state to his noble Friend opposite that he must postpone the Petition of which he had given notice, in reference to the Fine Arts, till Tuesday next.

THE WELLINGTON STATUE.

Lord BROUGHAM wished to call their Lordships' attention to an important subject, and he should do so by moving for certain papers and the correspondence connected with the Wellington Statue. He would briefly state what the facts were. On the 18th of June, 1837, a meeting was held, at which it was determined to erect a statue in honour of the Duke of Wellington; and for this purpose the sum of 13,000*l*. was raised by public subscription. Applications were made to the Government for a site for the statue, and the arch on Constitution-hill having been given, it was found that the money subscribed would be insufficient to obtain a statue of the size required for such an elevation: this was made known to the public, and an additional sum of 12,000*l*. was raised. This second sum had been subscribed on the faith that the statue should be placed on that arch, and it was given by the grateful countrymen of the Duke in all parts of the world. Some clamour was raised on the part of the public, and was responded to in one House of Parliament, but not here, and that clamour so echoed was hostile to the continuance of the statue in its present position. The extent of the clamour had however, been represented in very greatly exaggerated terms; it was really confined to a few, and people of good taste were now very much coming round in opinion, and approved of the present position of the statue. He (Lord Brougham) professed no knowledge of the arts; but, as far as his own opinion went, he had no particular admiration of the statue. The horse especially was not much like the Elgin marble horses. It was more like a real horse than an ideal horse, such as sculptors say ought to be represented when they are making horses. But of the present position he must express his unqualified approval. Placed where it was, all eyes could see it—all eyes could rest upon it—and he really should say, from all the quarters in which he had viewed it, he could not conceive a more commanding, a more admirable exposure. But there was another reason, independent of this, which arose out of the offer made by his noble Friend (Lord Morpeth), that if the Committee would agree to take the statue and put it on another pedestal, the Government would furnish them with one. He was sure that inflexibility, whether as to Bills or statues, formed no part of the character of his noble Friend. He had so often given way on more important matters, that he might again on this. But the statue was not his to take. The statue did not belong to the Government; it belonged to the Government no more than the pictures in Belvoir Castle, or the watch in the pocket of the noble Lord opposite. It belonged to the subscribers, at the head of whom was his (Lord Brougham's) noble and most esteemed Friend the owner of that castle (Duke of Rutland), whose unavoidable absence from town compelled him (Lord Brougham) now to address the House. For the Government to take it, would be an act of confiscation, of spoliation. There was another reason why he, and why the owners of the statue, wished it to remain there: it was in the neighbourhood of the illustrious Duke's mansion; and they would have it rest there, that, while he enjoyed that repose, to which who has so great a right as he who has given repose to his country and the world?—he should be enabled to rest that eye which has gained the fight, and pacified the world, upon a monument not erected to his fame, to perpetuate which all brass and all marble would utterly fail, but that the attempt would be needless, a fame defying all time as it defied all rivalry—yet a monument which he might be gratified and soothed to contemplate—which his grateful countrymen have erected, not to do that which would be alike superfluous and vain, but to redeem themselves from the charge of forgetting services which no gratitude can repay. He knew that his illustrious Friend would feel hurt beyond expression if that statue were to be removed. And let no man fancy that his silence on the subject is to be taken as betokening consent. Why was he silent? Because it had been his constant, his characteristic, his magnanimous, his graceful practice above all things to abhor speaking of himself. Full forty years ago, Mr. Pitt said that he had talked with this great man on his return from India, where he signalised the dawn of his illustrious life; and, said he, "To hear him speak of his Indian campaigns, you might have thought that he was a regimental surgeon, rather than the General of the army." Therefore it was that his noble Friend could not bring himself to complain. He could not stoop to talk about himself or of any services which, to use his own expression, he might have chanced to render to his country; but, he added, those must be idiots who could suppose that he should not feel insulted and held up to ridicule if that statue were now removed. My Lords (said Lord Brougham), I have now stated this case to the noble Lords opposite—I defy them to persist in their removal. Let them do so if they dare. The noble and learned Lord concluded by moving for the correspondence on the subject of the Wellington Statue.

The MARQUESS of LANSDOWNE having observed on the inconvenience which attended the practice of making such a Motion without giving previous notice, proceeded to remark that the subject was unquestionably an important one in itself, as everything must be which was connected with the name of the illustrious Personage in question; and it was also deserving of attentive consideration, because anything was important which had reference to the national taste of the country. The statement with which the noble and learned Lord had prefaced his Motion having been made without notice, he was relieved from the duty of entering into an examination of it in detail. He did not feel himself called upon to do so; but he wished to have it understood that by his silence he did not at all mean to bind himself to the perfect accuracy of that statement in all respects. But notwithstanding that notice had not been given of the Motion, he would nevertheless at once accede to it, as it had reference to papers which there could be no inconvenience in granting. He would at once consent to the production of the papers required, and would take care to accompany them with other papers which might throw light on the transaction, and especially on that part of it respecting which the noble and learned Lord could not have properly informed himself—namely, the condition on which the Statue was originally erected. He was anxious that the whole of the papers should be laid before their Lordships; but while assenting, as he did without hesition, to the Motion, he was bound to declare that throughout the whole of the matter he had not detected in the mind of any individual any other feeling than that of deep anxiety that for fame, reputation, and glory so immortal as that of the illustrious Duke was destined to be, there should be a testimonial worthy in some degree both of the country and of the man. The subject of the Statue had been referred to the consideration of the persons who, from their acknowledged experience, skill, and taste, were thought to be most competent to decide upon it. He would express no opinion himself respecting it; but he could assure their Lordships that the Government were most solicitous that that course should be taken, whatever it might be, which would be most acceptable to the feelings of the country, and to those of the illustrious Personage whom it was the general object to honour.

Motion agreed to.

MEDALS FOR NAVAL SERVICES.

The EARL of HARDWICKE brought forward the Motion of which he had given notice—

> "That an Address be presented to Her Majesty, praying Her Majesty to be graciously pleased to direct That the Order of the Admiralty, dated the 1st June (directed to all Persons serving on board any Ship of War engaged with the Enemy between the years 1793 and 1815, the Captain of which Ship shall have received a Medal for any Action during that Period), be directed to all Persons serving on board any Ship of War engaged with the Enemy between the Years 1793 and 1846, the Captain of which Ship shall have received a Medal, or where the Fleet, Squadron, or Ship shall have received the Thanks of both Houses of Parliament, or where the Commander in Chief shall have been created a Peer, or received a step in the Peerage for any Action with the Enemy during that Period."

He feared that the Government were taking a step which was full of injustice to a number of distinguished and eminent men now living, and which would injuriously affect the memory of many eminent and distinguished men who had departed from among us. His notice had been long on their Lordships' books; but he had put it off from day to day, because he believed there existed on their part, or at least on the part of certain Members of the Government, a feeling that other steps should be taken in the matter, and a belief that new arrangements were actually under consideration respecting it. He still believed this to be the case, and for that reason did not intend asking a formal expression of opinion from their Lordships that evening with respect to his Motion. But as the Motion was standing on the papers, he would take the opportunity to move it *pro formâ*, chiefly with the object of eliciting from his noble Friend at the head of the Admiralty an expression of opinion that the door was not entirely closed with reference to the manner in which those honours were to be disposed of. They all knew how dearly valued by the deserving soldier were marks of distinction from his Sovereign. In fact, such honours were prized in all countries, more highly than, perhaps, any other class of distinctions; and it was, therefore, with no ordinary feelings that he had seen and observed the manner in which the Governments of this country had recently honoured men who had distinguished themselves in the public service. Old and highly meritorious officers had seen younger men than themselves walk into the presence of the Sovereign decorated for recent services; while they felt that they had themselves performed in times past services quite as glorious, for which they had no honours to show. Now, my Lords, in the Order of the Admiralty, bearing date the 1st of June, the decorations which were proposed to be given for naval services were limited solely to such crews, the commanders of whose ships and fleets had been previously decorated—by what? By a medal. He was completely at a loss to know on what grounds such a distinction should be made. The only answer he had heard attempted was, that the rule held good in the Army, and that it was right that the Navy should be subjected to the same regulation; but he denied that the Army and Navy were similarly circumstanced. It was the misfortune of the Navy that its government was essentially political — that is to say, that it changed with Governments; whereas the Army was governed by a soldier eminent for his military services, who was essentially non-political, and did not change with the vicissitudes of time and party. In the Army medals were given for all great and glorious actions between 1793 and 1815—in fact, for all Peninsular battles without distinction, so long as they were great and brilliant services. In the Navy they were given for eminent services undoubtedly, but only for such services on a few glorious occasions, such as the engagements of the 1st of June, and the 14th of February—Lord Duncan's victory over the Dutch, the battle of the Nile, Sir Richard Strachan's, in 1805, Sir John Duckworth's, in 1806, and the battle of Trafalgar. They were also given for encounters between single ships, contrary to the practice in the Army, which did not recognise decorations for skirmishes. But he could show that there were many actions which were quite as sanguinary, such as the following single actions — Captain Seymour, in the *Thetis*, Captain Stewart, in the *Seahorse*, Captain Mounsey, in the *Bonne Citoyenne*, Sir William Hoste, Captain Talbot, Captain Hope, and two or three others—as important and as ably contested as any for which medals were given; but the men engaged in which, owing to the death of the captain, or for some other reason, were left to this day unrewarded. Out of all the great and distinguished naval actions which took place between 1793 and 1815, there were only seven for which medals had been awarded. He could easily mention instances of other actions having occurred between 1793 and 1815, which were quite as worthy of the favourable notice of the Sovereign as any of those for which medals or decorations had been awarded; and yet those who took part in them were to this day without any distinctive mark of honour. He might allude to the engagement which was conducted by Admiral Cornwallis in the year 1797, when five sail of the line and three frigates having to compete with twenty-three French ships, eleven of which were of the line, and twelve frigates, Lord Cornwallis brought his squadron safe into port, with but small loss in men, and none in ships. Was not a good retreat a most important service? Then, too, there was the battle of Copenhagen, when, with twelve sail of the line and five frigates, we sank or took seventeen vessels of the enemy, silenced their batteries, and compelled them to an advantageous treaty. For those two distinguished affairs, no medals were given. The Government were about to refuse decorations to the survivors engaged in those glorious engagements, while they were going to bestow medals for actions which, in comparison, were not, in any way, superior in merit. Similar neglect awaited those who were engaged under Sir J. De Saumarez at Algesiras; and yet the thanks of Parliament was voted for all those actions, and distinguished honour was shown to the commanders—but not by a medal. And Lord Nelson, speaking in their Lordships' House, declared Sir J. Saumarez's to be a most gallant and intrepid action. He might also mention the engagement of Captain Brenton in the Bay of Naples, and Sir Bryan Martin's action with the *Immortalité;* neither had medals, while Hoste and Seymour had medals; and yet the crews who fought under the two former chiefs are to be forgotten, and those who served under the latter are to be honoured again. There were sixty or seventy frigate actions in that war, and the number of medals bestowed was seven. Another rule must be adopted than that which has been laid down, or the grossest injustice would be committed. He had shown that injustice had been done to a large portion of the service between 1793 and 1815; and he now asked the House to consider what had occurred from 1815 to the present time. Honours had been bestowed for Navarino, Syria, and China; but actions had taken place during that period which had been esteemed highly meritorious, for which the thanks of Parliament had been awarded; and if the officers and men did not now receive honorary distinctions, he contended that injustice would be done them. The action before Algiers was fought for a great purpose. At an enormous cost this country had emancipated the slaves in the West Indies; and so tender and feeling had we been on the score of oppression to the human race, that we had undertaken to send out a squadron for the purpose of relieving the unfortunate white people held in slavery by the Dey of Algiers. Could anything be more inconsistent than to pay 20,000,000*l.* for the emancipation of the black slaves, and not give a bit of ribbon to a set of gallant men, who, at the cannon's mouth, had freed the white slaves of Algiers? The action at Algiers had been conducted with admirable ability; and had it not been so the result would have been very different; for a thousand guns were on the walls, and were well served, as the list of killed and wounded amply proved. The action was most skilfully and gallantly conducted, at a great loss of life—greater than in any action of modern times, except the Nile; and it was hard on the followers of that great chief, Lord Exmouth, to know that because he did not get a medal, those who followed him were to be now passed over. And why did not Lord Exmouth and his captains get medals? Because the division of the Order of the Bath, was made partly with a view to get rid of medals. Now, Lord Exmouth's captains did get the C.B. decoration, which was therefore tantamount to a medal. With respect to Navarino, the commander had received a decoration and the Thanks of both Houses of Parliament; and the officers had received decorations; but the men, who had fought bravely under the directions of their officers, had been passed over. For the China campaign, decorations were given in abundance. All he could say was, that the Government, in determining to give decorations and honours, had taken the very worst way of effecting their object satisfactorily. In taking the course he had done this evening, he begged to say, that it was his own act. He had not been urged on by his profession; he was actuated by a desire to strengthen the hands of the noble Lord opposite, and enable him to do that substantial justice which it was known he desired to do. Various expedients had indeed been suggested for the purpose of obtaining that justice for the Navy. It had been proposed that the service should petition the Queen; but he declared to their Lordships that the men whom he had seen and spoken with on the subject were shocked at the notion of being obliged to ask for honours to be bestowed upon themselves. The universal sentiment among them was—"If we are not to be honoured by the free gift of our Sovereign, we will not ask for it. We would rather submit to what we cannot but feel to be a deep injustice, and bow to the will of the Sovereign, who, if the case had been properly laid before Her, would, we know, desire that ample justice should be done us."

The Earl of AUCKLAND replied, but was almost inaudible. The noble Earl admitted that many actions which had been most bravely fought, and of which the results had been most important, did not come within the rules which had been observed in bestowing honours and decorations, but urged the absolute necessity that some rules should be laid down, and adhered to. These rules, as affecting the naval service, had been constructed on the same principles as those which applied to the Army. There had, however, been actions fought and deeds performed which, according to his opinion, might fairly be brought within the scope of these rules; and the subject should receive further consideration at the Admiralty.

Lord COLCHESTER was gratified by the statement of the noble Lord, for he thought that the men and officers who had fought at Algiers were placed in a hard position by the recent order of the Government.

The Duke of RICHMOND concurred in expressing satisfaction at the statement of the noble Lord at the head of the Admiralty; but he reminded their Lordships that all these difficulties had arisen because former Governments had not done their duty to the naval and military professions. Former Governments had not come forward in many cases to give to the subaltern officers and men who had deserved well of their country any mark of honour at all. He thought the Army and Navy were obliged to the noble Lords now in office; but in the reconsideration of the just claims of the Navy, the claims of the Army ought not to be forgotten. Why were not the men who fought in Egypt included in the order as related to the Army? They received, it was true, an order from the Sultan, but not from their own Sovereign. There were other actions, also, for which the men engaged in them deserved to have some mark of distinction.

The Earl of MALMESBURY also expressed his satisfaction at what had fallen from the noble Earl at the head of the Admiralty, over which he was so well placed. With respect to the battle of Copenhagen, the noble Lord was understood to say that Nelson had declared that if he received a medal for any action, he would not wear it until justice was done for the action at Copenhagen.

Earl GREY observed, that it had already been determined to grant medals to officers who had served in the Peninsula; and it was now proposed to extend the distinction to officers who had served at Algiers, Copenhagen, and in other actions which had been referred to. He (Earl Grey) must say, however, that he thought it was of great importance they should be careful not to distribute medals indiscriminately to officers who had seen any description of service. He doubted whether, in cases of this kind, more inconvenience did not arise from attempting to revise the decisions come to at the time by the Government, with a perfect knowledge of the circumstances, at a distant period, than from allowing matters to remain as they were.

The Duke of RICHMOND stated, that he felt great regret when he heard that Peninsular officers alone were to receive the medals which were to be issued to officers who had distinguished themselves in the late war; and he, for one, would rather not have a medal at all than see officers who had rendered valuable services to their country in every part of the world treated with so much injustice.

The Earl of ELLENBOROUGH said, he thought it was evident, from the careless manner in which the original order of the 1st of June was drawn up, that there must be some extension of that order. Circumstances had been stated to-night, with respect to particular actions, which must attract attention to the justice of the claims of the officers who had been engaged in those actions. He must say, that he thought the Government had undertaken a task which neither they nor any man or body of men could perform satisfactorily; for it was a most difficult matter, in weighing against each other the services of different officers, to come to a decision which would give general satisfaction. He could easily understand that an officer who might, perhaps, have been engaged in what was apparently no very distinguished service, but who might have performed the most arduous duties, and who might have been under fire for day after day, and week after week, would naturally feel dissatisfied that he was left without any honorary distinction, while another officer, who had the good fortune to be under fire in perhaps one important action, received a decoration. He considered it essential, in order to maintain the efficiency of the British Army and Navy, that distinctions should be conferred for important services; and he believed no distinction was so much valued as the medal which a soldier or sailor wore upon his breast for good conduct under fire. He believed this was the feeling of every officer, and he might also state that British officers were most anxious that the men who fought under them and with them should be rewarded for their valour and intrepidity. He had been much struck by the expression of General Sir C. Napier, who, when he received the decoration of the Grand Cross of the Bath, said that he would not wear that cross unless the man who saved his life was decorated with a medal; and Sir C. Napier also expresed his determination not to wear the order unless the men who fought by his side were rewarded with medals. He was confident that the Admiralty and the Government were most anxious to pursue such a course as might be satisfactory and gratifying to the Army and the Navy; but he believed they had undertaken a task which they could not perform either to their own satisfaction or to that of the naval and military services.

Lord STRAFFORD thanked the Government for what they had done, and expressed a hope that they might be able to make such an arrangement as might be satisfactory to all parties.

Motion, by leave, withdrawn.

House adjourned.

HOUSE OF COMMONS,

Thursday, July 8, 1847.

Minutes.] Public Bills.—2° Canal Companies; London Bridge Approaches Fund; Constabulary Force (Ireland), &c.; Qualification of Peers (Scotland); Trust Monies Investment.

Reported.—Masters in Chancery Affidavit Office; Bankruptcy and Insolvency; Joint Stock Companies (No. 2); Post Office; Naturalisation of Aliens.

3° and passed:—Stock in Trade Exemption; Drainage of Lands (Ireland).

Petitions Presented. By Sir W. Molesworth, from Southwark, for Inquiry into the Customs Regulations (Port of London).—By Sir R. Peel, from Leicester, and Mr. Vernon Smith, from Northampton, for Alteration of the Proposed Plan of Education.—By Mr. P. Miles, from Richard Allez, and the Rev. Daniel Dobrée, of the Island of Guernsey, for Redress.—By Mr. Brotherton, from Oldham, for Alteration of the Law respecting the Sale of Beer.—By Mr. T. Duncombe, from Brewers and others in and near the Metropolis, for Postponement of the Thames Conservancy Bill.

HEALTH OF TOWNS BILL.

Lord JOHN RUSSELL said: Sir, I am anxious, before the House proceeds with the business before it, to make a statement with respect to a most important Bill now standing for consideration—I allude to the Health of Towns Bill. The House is aware that the Bill was introduced at an early period of the Session, although the state of public business would not allow it to be proceeded with until an advanced period of the Session. The Bill, as the House is aware, was read a second time by a very large majority, and also by a large majority was ordered to be committed. The House has also agreed to the first clauses in the Bill, involving the appointment of the Commission and other important matters, and has approved thereby of the principle of the Bill. The first clauses were carried by a very large majority; but lately, after proceeding through the more important clauses, considerable debate has arisen upon each clause, so that on Monday only two clauses were agreed to; and on Tuesday, I think, only one clause was agreed to. There are several other clauses in the Bill to which it is intended to move Amendments, and which would require discussion. Now, under those circumstances, when I consider the progress of this Bill, and the discussion which the remaining clauses are likely to lead to, while I think that those clauses should be adopted, yet I do not think that at this period of the Session, and of the present Parliament, we are likely to obtain the result we aim at, without a very considerable period elapsing before getting through Committee. I do not wish to argue the question as to what it is owing that such considerable delay occurs in agreeing to each separate clause of the Bill. Some Bills are of such an important nature—such as the Reform Act, the Poor Law Act, the Municipal Corporation Act

—that they necessarily would require considerable attention; and it was necessary that a long time should be taken up in the discussion of the various provisions of them in Committee. Another cause may be, that unnecessary opposition has been made for the purpose of delay. Another argument may be, that the Bill in itself is defective in its framing. All I say is, that I do not intend to argue which is the case with respect to this Bill. I have my own convictions upon the subject. The noble Lord opposite may have his opinions also on the subject; and all I have to request of him is, that he will be good enough to allow me to retain my opinion on the subject. The obvious result of this state of things is, that I cannot now hope to proceed with the Bill with any success in the present Session of Parliament. I may say, likewise, that there is another more special reason which applies to the present circumstances. We are not only now entered into the month of July, and are advancing towards the middle of the month, but we are also arrived at a time when the Parliament is approaching its termination. I believe the House has now sat for a longer number of years than any Parliament since the year 1826. No Parliament since that year has sat so long as the present one; and as we approach the termination of the sixth year of its existence, there is naturally a general expectation of dissolution; and with that expectation there is of course the usual excitement attendant upon the canvass of hon. Members. This is a reason with the Government, when they find there is not a clear probability of the immediate success of the Bill, not to proceed with it. But, at the same time, I would not allow any single word to drop from me which would at all signify that my confidence in the principle of the Bill as adopted by the majority of the House is at all shaken. The question is one which, it is admitted on all hands, excites the greatest interest in the country; and I think no person will deny that it is a subject for which legislation is required, and therefore it is not to be supposed that, in dropping this Bill at the present time, the present or any future Government should dispose of the subject altogether. On the contrary, at as early a period as possible in the next Session we shall bring forward a measure to make such amendments in the existing law as we think may be required. With this statement, Sir, of the reasons why the Government do not wish to go on with the Bill, and not wishing to excite any irritating discussion on the subject, I shall therefore move that the Order of the Day for the Committee on the Health of Towns Bill be read, for the purpose of being discharged.

Mr. STUART was happy to find that the noble Lord had abandoned his Bill—not because he thought the subject of the Bill ought to be trifled with; on the contrary, he thought it was one of enormous importance—but because the subject was so extensive in its nature, that no legislation could be attempted now under circumstances which would enable the House to give its consideration to every part of the measure. Being honestly anxious to give his humble assistance to make the Bill as perfect as possible, he had bestowed hours of painful attention on it; and if the noble Lord would pardon him for saying what had occurred to him on the examination of the Bill, it was possible that the remarks he had to offer might contain useful hints for a future occasion. The noble Lord was not present in Committee when the House was discussing the 21st Clause. He had ventured, when the House had entered upon the discussion of this clause, to call the attention of the noble Lord at the head of the Woods and Forests to the number of clauses in the Bill, and the peculiar scheme of legislation on which the Bill was framed. This Bill was framed on a scheme entirely faulty, and one he hoped which was not to be attempted again. The 21st Clause incorporated in the Bill another Act of Parliament only recently passed—an Act difficult of construction, and difficult of incorporation in the Bill. After a limited examination of the Bill, he would just show to the House the result of the system of incorporating such Acts of Parliament in the Bill. The Act was called the Towns Commissioners' Clauses Consolidation Act, and it contained 116 sections. In this Clauses Consolidation Act, other Acts were incorporated, and of course they also became incorporated in the Health of Towns Bill. This Act, then, of fifty-eight clauses, incorporated no less than 790 clauses, Now only let the House for a moment conceive what it was about when proceeding to legislate in this way. The hon. Member for Brighton (Captain Pechell), with great good sense, remarked the other evening, that before we could go on with the Health of Towns Bill, we must first understand the Towns Commissioners' Clauses Consolidation Act. Suppose, then, hon. Members set themselves to understand that Act. For his own part, he had at first thought only a few clauses of the Act were to be incorporated in the Bill. But a question was put to the Attorney General, who, in reply, said, that all the clauses of the Towns Commissioners' Consolidation Act, including the interpretation clauses, were to be included in the Bill. That Act incorporated another Act of Parliament, passed in reference to railway companies. In the 104 sections of the Towns Commissioners' Clauses Consolidation Act were incorporated the Railway Clauses Consolidation Act, passed in 1845, which had reference to the recovery of damages from railway companies. When we recollected that the Railway Consolidation Act and the Acts relating to damages had together 165 sections, and that these Acts were so interwoven with other general Acts and their interpretation Acts, we should see that the whole scheme, if carried out, presented the prospect of such a mass of litigation as the House could have no present conception of. All this would be attended with expense, to be levied on towns and places in England within the scope of the Act. He would call attention to another peculiarity of this mode of legislation. There was hardly a town in England which had not a local Act with reference to its sanatory regulations. He held in his hand an Act of 357 clauses, regulating the affairs of the town of Liverpool. By that Act of Parliament a board of health was established for the borough. The Health of Towns Bill was, if only on this account, wisely abandoned for the present, for it not only affected this Act of Liverpool, but it affected every other local Act in England. He mentioned the Liverpool Act, because he had been engaged hour after hour in endeavouring to understand it, as he was concerned in an expensive litigation on the construction of a clause in that Act. After a long and expensive litigation, commencing in Liverpool—carried three times into the Vice Chancellor's Court, and about ten days ago heard in the Chancery Court, the Lord Chancellor felt so much difficulty in the case, that, to the great injury of a proprietor of a house who wished to repair but could not, the Lord Chancellor gave permission to try by action at the next assizes, and thereby to determine the meaning of three words only in the ninety-fourth section. He implored the noble Lord to well consider what he was about to do before, by the Health of Towns Bill, he gave occasion for litigation of this kind. As a lawyer he never felt his profession so degraded as when he found that, from words improperly introduced into a Bill, private rights were invaded, and questions were raised, by the ingenuity of lawyers, who were stimulated to put a different construction on words which ought never to have become a matter of doubt. He only ventured to refer to the Liverpool case, because it was the last case of the sort which it had been his lot to be connected with. Would the noble Lord have the kindness to consider what Acts of Parliament passed for regulating the affairs of towns were already in existence? He would not go through the various clauses of the abandoned Bill; but he would say, if the House had gone on, they would have found themselves in such a maze of difficulty, on account of the nature of the provisions introduced into the Bill, that it would have been impossible to have clearly seen their way through legislation on such a theme. He would therefore beg the noble Lord to pause and to attend to the remarks of the hon. Member for Finsbury (Mr. Wakley), who said, and said with truth, that he wished, in the framing of Acts of Parliament, laymen were more employed, and lawyers less. He considered it was indispensably necessary to simplify the construction of Acts of Parliament. If we would refrain from holding out baits to the litigious part of the community, we must trust more to the good sense and discretion of the courts, magistrates, and individuals, and we must legislate in larger and more general terms. How many families had their affairs thrown into confusion by needless delay; how much time was taken up in construing words in such Acts, for instance, as the Consolidation or Joint Stock Companies Acts? He regretted the failure of the present Bill, for it was in able hands; and because that was the case, he must confess he did not at first bestow that attention on the details which otherwise he should have done. He had, however, since looked closer into the Bill, and he was satisfied it was impossible to proceed further safely with legislation. The noble Lord formerly at the head of the Woods and Forests spoke good sense, when he advised Government to confine the Bill to its first nine clauses. He would ask the noble Lord to see how far this might be done. He felt he had a right to complain that a subject of so much importance had not been brought before the House in such a shape as to permit the House to come to a decision on it.

MR. AGLIONBY had no right to complain of hon. Gentlemen's opposition to the Bill, nor did he mean to blame the noble Lord for withdrawing it, though this proceeding was a subject of regret to him, and would be a subject of general regret throughout the country. The noble Lord could do no otherwise, and there might this advantage result from the circumstance, that the hon. and learned Member for Newark, before next Parliament, might have an opportunity of bringing in another Bill which would obviate all the objections to the clauses which would have had to be discussed in Committee. He would not answer in detail the remarks of the hon. and learned Member (Mr. Stuart); but he must own he was surprised to hear them come from an experienced lawyer, and with some of those remarks he certainly did not agree. He quite agreed with the hon. and learned Member in his observation of the necessity generally for simplifying Acts of Parliament; but he conceived if all but the first ten clauses were taken away from this Bill, such a proceeding would by no means tend to simplify it. In his opinion, the safest way to avoid disputes about the meaning of Acts of Parliament was for lawyers to continue to adopt the same form of words, and the settled construction placed on those words by courts of law. If laymen were to draw up Acts of Parliament, in his judgment the present difficulties would be increased tenfold. He concurred with the hon. and learned Member, that incorporations of other Acts of Parliament in Bills ought to be avoided in every case. He wished for a public Bill to be brought forward next Session. He wished to have such a Bill discussed not at the morning sitting, but at that period of the evening when it would be sure to have the attention of the House.

VISCOUNT MAHON said, that it seemed to him the noble Lord had exercised a sound discretion in withdrawing the Bill at this period of the Session and of Parliament. He had persevered with it to the utmost point where success was at all likely. But, when reintroducing the Bill, he hoped the noble Lord (Lord Morpeth) would introduce at the same time a Bill regulating interments in towns. He thought it would be hopeless to attempt to legislate on the one subject without taking the other along with it. He hoped the noble Lord would give his attentive consideration to the question during the recess.

SIR W. CLAY was anxious to remove a misconception which existed on the subject of the exclusion of the metropolis from the Bill. It had been alleged that a species of bargain had been entered into between the Government and the metropolitan Members that the metropolis was to be excluded; but, as far as his knowledge went, the allegation was altogether founded on a mistake. He believed that the metropolitan Members were not only willing, but anxious, to see a scheme of sanitary reform carried into completion; but, as regarded the metropolis, his opinion was, and he believed a similar opinion was entertained by other metropolitan Members, that it was not expedient to attempt to include London in a general Bill, and for this reason, that to do so would be to increase the difficulties which surrounded the question, and to render the passing of any general Bill, during the present Session, hopeless. He trusted a measure would be introduced for the metropolis alone; and in framing its provisions he hoped the constitutional and Anglo-Saxon principle of local government would be as little interfered with as possible.

MR. HUDSON said, that in consequence of some statements having been made injurious to the sanitary state of the city of York, he had made some inquiries, and was desirous of disabusing the public mind on the subject. Some hon. Members seemed to imagine there were no boards of commissioners except in London. Now, in York, there were commissioners, consisting of forty members, elected by the ratepayers, who discharged the duty of paving and cleansing the city. The corporation had nothing whatever to do with the matter, but sometimes voluntarily assisted the commissioners in carrying out their views. It had been said that the health of York was worse than that of any other town. Now, the Report on the Health of Towns showed a very different result; for whilst the average longevity in York was 32 years, in Saddleworth the average was only 26; in Halifax 26; in Bradford 20; in Sheffield 22; in Huddersfield 27; and in Leeds 23; and in Burlington, Duffield, Patrington, Beverley—all agricultural districts—the average was 28. He should also observe, that the longevity at York was greater than it was in any of the neighbouring agricultural towns. He believed the hon. Member was connected with Whitechapel; now, he (Mr. Hudson) could show that York was more healthy than that, as well as many other districts of the metropolis. The mortality in Whitechapel was 3 7-10ths per cent, while that in York was 3 2-10ths. Many towns like York were sufficiently healthy, while many rural districts were far from being so, The hon. Gentleman (Mr. Wakley) was much mistaken in supposing that there would be any danger in visiting York; and if any Member would take a trip there in the recess, he (Mr. Hudson) would do all in his power to make the sojourn agreeable. He was glad that this Bill would not be proceeded with; he had always entertained strong objections to a central commission; and he was confident that if the experiment were made, and full powers given, the local boards would prove adequate to carrying out sufficiently well all necessary sanitary regulations. It had from the first been apparent to him that the measure, as it had been committed, would never fulfil, had it been passed, the benevolent intentions of the noble Lord and the Government; and if it was again introduced next Session, he hoped it would be in such an altered form as to insure the approval of the House.

Mr. MACKINNON rose, merely to state to the noble Lord that it would be very acceptable to the country if he would give an assurance that early next Session he would proceed with this Bill.

Mr. WAKLEY hoped the noble Lord would reflect on the speech of the hon. and learned Member for Newark. It was clear that this Bill was not applicable to the object the Government had in view. The hon. Gentleman who had just sat down had recommended the noble Lord to bring in the present Bill again next year. He could not join in such a request; but he trusted the noble Lord would bring in a more comprehensive general measure, and bring within its operation the whole of the metropolis. He trusted, that on no account the city of London would be left out of this Bill, for there was much anxiety that this should be done. The drawer of the present Bill had drawn it up without any reference to parties who would be materially affected by it; the consequence was, that much greater opposition had sprung up against it than otherwise would have been the case. Before the noble Lord brought in another Bill, he advised him to institute a preliminary inquiry, and to consult the various paving, lighting, and watering boards, of which there were a great number in the metropolis, none of whom, he understood, had been consulted. If the noble Lord did this, he would carry the public with him, and pass such a comprehensive measure into a law. There were nine or ten separate boards for these purposes in one district only of one of the metropolitan boroughs; and he was sure no measure on the subject would be satisfactory to them if they were not previously consulted to a certain extent. When those interested had been consulted, a Bill might be framed in such a manner as to overcome the difficulties which now stood in the way of an effective Health of Towns Bill. He trusted that general as well as specific inquiry would be carried out in the first instance, and without delay. The noble Lord must be aware, from what had been stated by the hon. and learned Gentleman, that it would be desirable to try the effect of having laymen to draw up some measures for legislation, which experiment he had no doubt would be attended with success. The hon. and learned Member said, that he would leave a large discretionary power to the Judges in construing Acts of Parliament. He complained that they had too much power already in the interpretation of Acts of Parliament. They even sometimes set aside Acts of Parliament, and put extraordinary constructions on them, which when they were passed, were never dreamt of. The hon. and learned Gentleman had alluded to the difficulties which had grown out of the interpretation of one of the sections of a local Act relating to Liverpool, in a recent case which had been before the Vice Chancellor and the Lord Chancellor's Courts. It appeared that these learned Judges, after full consideration, could not tell what was meant by the words, "a house projecting;" the case was therefore to be sent to a jury to determine the question. In a matter of this kind they should so simplify the Bill as to render misinterpretation impossible, so that a child might understand it.

Mr. HUME thought there was something contradictory on the part of the hon. Member in recommending that they should have a comprehensive, and at the same time a simple measure. He was very sorry at the Bill being withdrawn; but this had arisen in consequence of the Government having exempted the city of London from its operation, on merely a manifestation of opposition on the part of that place. He hoped, that early next Session another measure would be introduced, and that they would proceed with it day by day. He trusted that the noble Lord who had charge of the subject would not consent to the measure being framed in such a way as to give the Judges larger discretionary power. He objected to the proposition laid down by the hon. and learned Gentleman. There was a very great difference between statute and judge-made law, and they had already too much of the latter. He hoped they would take care that the statute which would be passed on this subject would be so clear that the Judges could not put a different construction upon it from that put upon it by its framers.

MR. HENLEY said, that as he had been one of those who had taken a somewhat active part in opposing this Bill, he hoped he might be allowed to say a few words on the subject of that opposition. He had a great wish, and he believed the wish was common to all who had taken part in opposing the progress of the Bill—that a good measure should be introduced for promoting the sanitary improvement of towns. He could answer for himself that no man could be more anxious on the subject than he was; but neither he nor those who had acted with him could believe that the way to accomplish the object was by passing the Bill which had been submitted to the consideration of the House. At an early stage of the discussion, in fact, when going into Committee, he had foretold what had occurred. He foresaw then, and he warned the Government of it, that when the discussion reached a certain point, no further progress could be made. And now let the House and the country judge of who were the true friends of sanitary reform. The country ought well to understand that some of those who opposed the measure from the commencement, foresaw that when the clause came round which involved the consideration of 700 clauses embodied in other Bills, instead of the 58 clauses contained in the Health of Towns Bill, it was impossible that the measure could succeed. At an early period of the discussion the Government were advised to adopt the only course which was likely to prove practicable, and it was to make the application of the Bill voluntary on the part of towns; but this advice was scouted. Then came the proposal of the noble Lord the Member for Falkirk (Lord Lincoln), who very ably demonstrated that, from the withdrawal of one or two clauses, the Bill would prove inoperative in towns, and who recommended a certain course to the Government as likely to prove useful; but neither was that recommendation acceded to. In fact, the noble Lord at the head of the Woods and Forests was like a man going into a bog—going by little and little towards the part where he was told by the noble Lord (Lord George Bentinck) and others that he must inevitably sink; namely, that part which involved the discussion of 708 clauses, causing discussions which must have proved absolutely interminable, although a space of six months had been at the command of the House. That was the real juncture which occurred. It was his firm belief that had the Bill unfortunately passed, the country would have been thrown into confusion, and a degree of litigation would have sprung out of its impracticable enactments which would have proved most damaging to the cause of sanitary reform by disgusting the people with the very measure which was intended to promote and secure it. It was his sincere conviction from the beginning—and he stated then what he would state now—that he was one of those who did not approve of a Central Board of Commissioners. To that proposal he had early intimated his objection; and nothing had occurred calculated to induce him to change his mind. In fact, everything which had occurred in the history of the Bill, showed that a measure which had been announced in the Queen's Speech had not received that degree of consideration which he thought the country had a right to expect and to call for, in a matter so deeply affecting their social rights and interests. He joined heartily in the hope which had been expressed on all sides of the House that a measure better considered would be introduced; and if he might be allowed to offer a remark, with the view of obviating future difficulty, it would be that in his opinion the noble Lord (Lord Morpeth) had failed from attempting too much; he believed he would go safer, and reach his point more directly, were he to attempt less at a time. He believed that his Lordship was impelled onwards by his benevolent disposition; but in grasping at too much he had failed in devising the machinery necessary for the right working of so extensive a scheme. He might also say that he thought considerable assistance might be derived from the successful experiment which had been made in the case of the Enclosure Commission. That was a difficult subject to manage, owing to the conflicting interests which were involved. These difficulties, however, had been overcome, and the measure was now working so satisfactorily that he thought its machinery might be looked at with advantage by the Government. Where so many interests were involved as in matters relating to the health of towns, it might also be well to consider how far the initiative should not be left to the parties interested, instead of subjecting them to the operation of the compulsory principle. He would repeat his belief that those who had joined in opposing the measure, had acted from no hostile feeling to the principle of the Bill. At all events he could answer for himself, and would repeat the assurance he had already given, that the opposition he had offered to the measure originated in the impracticable nature of its provisions. In conclusion he would thank the noble Lord for having withdrawn the measure, and express his regret that it had not been brought forward in a manner which would have entitled it to the favourable consideration of the House.

Viscount MORPETH hardly need assure the House that he had not become a party to the withdrawal of the Bill without the deepest regret on his own personal account, as well as on public grounds. He had felt that the postponing the consideration of the details of the measure to such a late period of the Session, must prove a very great drawback to its chance of success; however, while there was a prospect or chance of making this measure a law during this Session, he should have been induced to fight for it to the utmost; but after the experience of Monday, on which two clauses were agreed to, and of Tuesday, on which only one clause was adopted, he could not retain a hope that he could pass this measure through both Houses during the present Session; he therefore felt that he should not be justified in further pressing it. In the course of the discussion which had taken place, many objections had been stated to the measure; and he was not prepared to say that on a subject of such a complicated nature—one of a nature nearly, in fact, to justify the hon. Member for Warwickshire in calling it a social revolution—if it was, it was a revolution for social good—there might not be some well-founded objections. He could not agree that if he had confined the measure to the first seven clauses, which related to the preliminary inquiry, that he should have disarmed opposition to the measure. Directly, on the contrary, they would have been told that the object it had in view was only to add to the patronage of the Government; and if they had merely appointed officers for the purpose of inquiry, they might with some show of justice be open to the charge. He could not object to the spirit of the observations of the hon. and learned Member for Newark; and he felt grateful for some of the remarks which he had made. The hon. and learned Gentleman had laid great stress upon those clauses which proposed to incorporate consolidation Acts into this Bill. Although there might be grounds for some of the considerations urged by the hon. and learned Gentleman, yet he believed that it would be found, with very few limitations, that the incorporation of Acts of this nature into Bills did not lead to any practical inconvenience. Still it was a fair subject for consideration whether this mode of proceeding was the best mode of legislation; and he would not then stop to inquire whether the merely referring for shortness to particular model Acts so incorporated in a Bill, was better or not than specifically inserting every enactment in such consolidated Act at length in the Bill. With respect to what had fallen from the hon. Member for Lymington, he had no hesitation in saying that at an early period of the Session he should feel it to be his duty on the part of the Government to bring forward a similar measure to this; and he hoped that he should be enabled to do so at such a time and in such a manner as to obtain for it the fullest attention, so that it might pass into a law. In the mean time it would be his duty to give his fullest consideration to all the objections which had been raised, and to all the suggestions which had been made; and experience did not make him think that this would be a very easy task. An hon. Gentleman had said that the Government must include the metropolis, including the city of London, within the operation of the Bill. He certainly had no wish to exclude the city of London; but as some misapprehension had arisen as to what had passed on that subject, he wished to state that he had made a communication to the city, by which he had only intended to convey to them that the corporation, comprising as it already did the Commissioners for Sewers and for Paving, would be invested with the general powers contained in the Bill, as being an analogous body to the commissioners or corporations in other towns. They, however, had misconceived him, and had thought that he had intended to except the city altogether; and in consequence of this he had consented to postpone the portion of the Bill relating to the city until next year, as he did not wish that there should appear even the suspicion of bad faith. Certainly, the Government never would consent to except such an important part of the country as the metropolis from a Bill like this. On the other hand, he had been urged to include within its operation every rural district. He was also told that he must consult all the local boards and existing bodies, and he was then told that he might do all this in a Bill of ten clauses. He had also been told that he should take the advice of his noble predecessor in office, who had introduced a Bill on the subject which contained 300 clauses. His anxious hope had been not to embitter the progress of this Bill by his conduct; and he did not wish to accompany the withdrawal of it by any word or deed which could give offence. He trusted that he should be enabled to introduce an analogous measure to this under better auspices early next Session, and he certainly would not then say anything savouring of acrimony. He could not conclude without expressing his confidence, that, notwithstanding the complexity and difficulty of the matter, it was of such a nature that it must command the most serious attention, and shortly ensure its own success.

Mr. NEWDEGATE was most anxious for the introduction of a comprehensive system of sanatory reform, but would be no party to a social revolution. That was the real foundation of his opposition to the measure. He trusted the noble Lord would endeavour to obviate the objections which had been raised, and would introduce a law which should be in itself supreme, and not cast upon the discretionary power of any commission the onus of regulating the working of the measure. If the noble Lord would bear in mind the suggestions which had been made, he would no doubt be able to introduce a Bill which would not cause those feelings of irritation which had been created by the present measure.

Sir De LACY EVANS could confirm the statement of his hon. Friend the Member for the Tower Hamlets as to there having been no compact or agreement between the Government and the metropolitan Members about leaving the metropolis out of the operation of the Bill. He believed that a very strong feeling existed amongst his constituents in favour of a Health of Towns Bill; and they only objected to certain clauses of the present Bill, which had caused them great anxiety. They were far from being opposed to the principle of the Bill. He trusted the noble Lord would endeavour to conciliate the local government, at the same time that he established a Board which would see that the proper course was taken.

Lord G. BENTINCK said: It is not my intention to disturb on such an occasion the good humour of the House; for it is impossible to find fault with the noble Lord for having relieved me and my friends from the intolerable and harassing burden of attempting to throw out the Bill. But the noble Lord ought to have had the candour to state that we were exonerated from all blame for the time which has been occupied in discussing and resisting the measure. Just look at the case. According to the hon. and learned Member for Newark, the clause which we were discussing yesterday—the 21st Clause—involves the consideration of 790 other clauses, of which 472 belong to four Bills that have only passed this year. 216 of the clauses were incorporated in the Commissioners' Clauses Act, which did not receive the Royal Assent till the 21st of June; and yet they are referred to in the Health of Towns Bill, which in its amended shape appeared on the 24th of the same month; so that in three days after the Commissioners' Clauses Act received the Royal Assent, and before any Member of the House had an opportunity of considering the amendments which had been made on the Bill by the Lords, the entire measure was incorporated in the Bill which has this day been withdrawn. In fact, six Acts of Parliament are included, each involving an inconsistency. If that be not enough to puzzle a conjurer, I do not know what could; and although the discussion of the measure had been prolonged till August, the noble Lord would have had no right to complain of those whose opposition had caused the prolongation. But not only was the House called upon to discuss a clause which involved six public Acts of Parliament, but we had to consolidate and take into consideration almost every private Act which had been passed, and which if estimated at 10,000 clauses, the estimate would be under the mark. But I wish to call the attention of the House and of the noble Lord to this fact, that whilst in this Bill, by the 32nd Clause, it is enacted that all the powers possessed by local commissioners shall be taken away from them, and that their powers shall be transferred to this Act, by the 39th Clause there is this extraordinary provision, that all the provisions of all existing Acts of Parliament are to remain in full force, unless they are inconsistent with the Bill, namely, the Health of Towns Bill. How is it possible that in a few days' time we should be able satisfactorily to discuss an Act constructed out of such a mass of confused materials? I trust, therefore, that those Members who opposed such a measure as this, will now be *ex post facto* exonerated from the charge of having made a factious opposition, and of having made any unreasonable demand, when they asked that they might not be hurried on, and not forced to sit from noon of one day till half-past two in the morning of the following one; and then at noon of that same day to come prepared for renewing the discussion of a measure of so extensive and complex a nature as would require the assistance of all the lawyers in the country to comprehend it in all its bearings. I cannot allow that, in asking the Government, as I did, and for which I was found fault with, not to hurry on such a measure, I was asking anything unreasonable; and I think I should not be doing justice to my friends or to myself if I had not said these few words in justification of the course we adopted in asking for the time necessary to the mature consideration of a measure which, if hastily adopted, we were convinced would not only lead to no practical good, but to the most interminable, the most vexatious, the most hostile litigation.

LORD JOHN RUSSELL, after what had fallen from the noble Lord, felt bound to observe, that in his original statement he had brought no charge against those opposed to the Bill; for all that he said was, that he would leave it to hon. Members to decide according to their own feelings whether the opposition to it had been vexatious or not, or whether the Bill itself was ineffective. Having said so much, he had hoped that the same forbearance would be exercised by hon. Members opposite, and that they would not proceed to argue the merits of the Health of Towns Bill after it had been withdrawn.

MR. T. DUNCOMBE said, that, as he had given notice of a clause to be inserted in the Health of Towns Bill, which would prevent hospitals being built in particular locations without the consent of the Woods and Forests; and that Bill having been withdrawn, the only thing that remained for him to do was to give notice that he should introduce a Bill to-morrow for the purpose of obtaining what the clause was intended to do. The object which he had in view was to prevent the building a fever hospital in so crowded a neighbourhood as Islington.

Order for the Committee discharged.

COMPENSATION FOR DAMAGES (IRELAND) BILL.

House in Committee on the Compensation for Damages (Ireland) Bill,

Clause 1—(Grand Jury may postpone traverses and payment),

MR. G. A. HAMILTON said, that as this was a very important clause, which, in fact, was the object and principle of the Bill —and as, perhaps, in some cases the postponement of payment to persons entitled to damages under the Labour-rate Act might involve a hardship, he would take the opportunity of calling the attention of the Committee to the amount already chargeable by law upon Irish property, and which Ireland would be called upon to pay next year for works comparatively unproductive, so far at least as any immediate return towards the repayment of that charge during the same year. And he was anxious to make this statement, not only because it was desirable that the House should know the amount so chargeable on landed property in Ireland, but because if the observations he was making should reach grand juries and petty juries, and persons of all classes connected with property in Ireland, he hoped they would see the necessity of exercising the most rigid vigilance and economy—so far as was consistent with justice—in dealing with the claims of parties for compensation under the Labour-rate Act. Probably most hon. Members had seen an article which appeared in the *Morning Chronicle* two days ago on this subject. It was stated in that article, assuming the expenditure in feeding the people to proceed at its present rate for twelve months—that taking thirty unions, forming a considerable proportion of the whole of Ireland, the expenditure during the year would amount to no less a sum than 3,446,210*l*., while the valuation of those thirty unions was only 2,163,710*l*. He (Mr. G. A. Hamilton) hoped that statement was overcharged; for he trusted it would not be necessary to continue the present enormous expenditure for any considerable period. But there was enough of truth in it to create very great alarm. A right hon. Gentleman, the Member for Northampton, some time ago had obtained a return on this subject, which he then held in his hand. By a reference to it, and to some other returns on the Table of the House, he had been enabled to make out a calculation, which he was afraid was only too correct. The return of the right hon. Gentleman divided the charges for unproductive works, since the beginning of the last sessions, into several classes, which he would very briefly enumerate:—

	Principal.	Charge next year.
1. Advances to grand juries under 9th Vic. ch. 2, and 9th and 10th Vic., ch. 78	£ 125,841	£ 14,482
2. Ditto, ditto, 1st Vic., ch. 21, 9th Vic., ch. 1, half loan, half grant	390,093	25,070
3. Public Works Labour Rate, 9th and 10th Vic., ch. 107, 5,000,000*l.*; suppose one moiety remitted, and remainder converted into annuity at 12*l.* per cent for ten years, as proposed	2,500,000	300,000
4. Relief Commissioners, 10th Vic., ch. 7, to be repaid out of the Poor Rates..........	900,000	900,000
	£ 3,915,943	£ 1,239,552

The next item of expenditure to which he would advert was the poor rate under the Act recently passed. He was aware it was difficult at present to form any accurate calculation; but still, he thought, by looking at the charge for the poor in England, under a system nearly resembling that now established in Ireland, something like a proximate one might be arrived at. England, with a population of 15,906,741—call it sixteen millions—expended in the relief of the poor, in the year 1846, 5,039,703*l.* Ireland, with a population of 8,175,126—call it eight millions—if you suppose the same expenditure in proportion to the population, will have to expend 2,500,000*l.* Possibly the expense of maintaining a pauper might be less in Ireland than in England; but still he was afraid a larger proportion of the population would have to be supported, and he feared the cost could not be taken at less than 2,500,000*l.*; that added to the former items would make the charge for the distress, arising from the potato failure, and for the poor, 3,739,552*l.* Then there was the grand-jury rate for roads, gaols, dispensaries, and other county matters. The grand-jury cess for 1846 amounted to 1,158,198*l.*: deducting from it the charge for constabulary, now placed on the Consolidated Fund, it might be taken at 1,000,000*l.*, making the amount so far chargeable 4,739,552*l.* for the year 1848. He had some hesitation in approaching the next item. He could not conceal the surprise with which he had read in one of the recent reports of the Board of Works, that the estimate formed of the amount, certified by the officers of that Board, for damage to land under the Labour-rate Act, was 1,500,000*l.* He had a very high respect for the Members of the Board of Works; but how it was possible that such a sum as 1,500,000*l.* could be estimated as the compensation for damage on an expenditure of 5,000,000*l.*, he was quite unable to conjecture. He hoped it was an estimate roughly formed, and drawn from some peculiarly unfavourable data; and that when grand juries and petty juries came to deal with the question of compensation, they would prove that it was a very erroneous calculation. But supposing it to be but one-half, or 750,000*l.*, the total amount chargeable upon land in Ireland next year, if the payment for compensation was not postponed, would be no less than 5,489,552*l.* And in this calculation he had not taken into account local taxation in towns, turnpike tolls—both of which were in some places extremely heavy. Neither had he taken into account the charges for drainage and other productive works, with regard to which, although it was true that the money so expended would be profitable, yet the profit would not immediately accrue; and, therefore, the charge would be felt for the next year; and he must also remark that the charge was assumed to be equal over the whole country; but of course that was not the case, but, on the contrary, the charge would be heaviest where the district was poorest. He would now trespass upon the Committee for a few minutes while he pointed out the comparison which existed between England and Ireland as regards the charges upon land and the means of meeting them; and first, with respect to the charges. The charges upon land in Ireland, as he had already stated, and not including turnpike tolls or local taxation, could not be estimated for the year 1848 at less than nearly 5,500,000*l.* In England the poor rate for the year 1846, was 5,039,703*l.*; the highway rate was about 1,150,000*l.*; the charge for prisoners, &c., 680,000*l.*, amounting to 6,869,703*l.* So that the taxation of land in Ireland would bear the proportion of five to six to the taxation of land in England in respect to the same objects. And now with respect to the comparative means of the two countries to meet this charge—the area of cultivated land in Ireland is stated in the Report of the Poor Inquiry Commission to be 14,600,000 acres; that of England, 34,250,000 acres; the produce of Ireland, 36,000,000*l.*, reduced by the failure of the patato crop last year, to, at most, 20,000,000*l.*; the produce of England, 150,000,000*l.*; the valuation of Ireland, 13,204,234*l.*; of England, 62,254,030*l.* This was the estimate made before the property tax; the valuation now, as deducible from the income tax is, 85,802,725*l.* The agricultural labourers in Ireland are stated to be 1,131,715; in England, 1,055,983. Now, he (Mr. Hamilton) thought it quite obvious that if England, with 1,000,000 of agricultural labourers, with 34 millions of acres of cultivated land, with 150 millions in value of produce, and with a valuation of 85,000,000*l.*, feels the burden of 6,800,000*l.*; Ireland, with 1,100,000 agricultural labourers, with an area of only 14,000,000 of acres, with a produce of 36,000,000*l.*, reduced by the late visitation to 20,000,000*l*, and with a valuation of only 13,000,000*l.*, must break down under the pressure of 5,500,000*l.*, unless means be taken to increase the productive powers of the land, to add to the wealth of the country, and to establish a better proportion between capital and population. He was quite ready to admit that in the Improvement of Estates Bill, Her Majesty's Government had endeavoured to make provision for this purpose; but he hoped during the recess they would apply themselves to the consideration of other means by which the important defect connected with improving the resources of Ireland might be still further attained.

Mr. LABOUCHERE could not at the present moment enter into a consideration of the general financial condition of Ireland. If hon. Gentlemen were desirous of expressing their opinions upon the subject, they would probably have an opportunity of doing so at the reassembling of the House at Five o'clock. It was of the greatest importance that this Bill should pass immediately into a law; he therefore hoped the hon. Gentleman would allow the Committee to proceed. With respect to the statement to which the hon. Gentleman had alluded, he owned he was as much surprised as the hon. Gentleman himself could be to see such a sum as 1,500,000*l.* put down as an estimate of the amount of damages to be claimed of the Board of Works for damages in Ireland. He had no doubt every care would be taken to look narrowly into the particulars of the estimated claims, and to prevent this question of compensation for damages being made subservient to private and particular interests. He knew that it was the opinion of the members of the Board of Works that the expense of compensation would be much less than they had themselves first estimated it to be. At the same time, it was impossible to deny that there would be a considerable sum to be expended under this Bill. With regard to the repayment of this expense, he wished not to throw the burden all at once on the counties of Ireland, and had therefore made provision for spreading it over a certain number of years.

Mr. M. J. O'CONNELL hoped it would go forth that full and official accounts of all the claims made for compensation for damages would be laid before the public, so that it would be known who were the parties who made out reasonable claims, and who were the parties who had made out unjust and unreasonable claims. These proceedings would be before the eyes of the public; and which he considered to be a very efficient provision for checking any lavish expenditure of the public money.

Clause agreed to.

Other Clauses agreed to.

House resumed. Report to be received.

POLLING AT ELECTIONS (IRELAND) BILL.

House in Committee on the Polling at Elections (Ireland) Bill.

On Clause 2,

Mr. G. A. HAMILTON said, that the first

of the Amendments of which he had given notice was in reference to this clause; but he hoped the Government would agree to a different arrangement from either that contained in the Bill or his Amendments, in reference to the university which he had the honour to represent. The University of Dublin is at present subject to the same law as counties and boroughs with regard to elections. There may be polling for five days—the Bill as introduced by Government limited the polling to one day, with one day intervening between the day of nomination and polling. It was obvious, considering that the great proportion of the university constituency were resident in the country, many of them in England, that the effect of this provision would be to exclude a great number of the electors from exercising their franchise at all: the Amendments of which he (Mr. Hamilton) had given notice would have the effect of providing a two days' poll and two intervening days' notice. But since he had placed his Amendments on the Paper, he had received many representations from persons who complained that any restriction as to the time of polling would deprive them either of their franchise in their counties or in the University. The case of a university was certainly peculiar, from the nature of the franchise, and from the class of persons who possessed it; the electors were most of them scattered over the whole country, and had votes in other places also. The English Universities, for the same reason, were excluded from the clauses in the Reform Bill by which the polling was limited in England; and he would, therefore, on the whole, ask Her Majesty's Government to place the University of Dublin on the same footing.

Mr. LABOUCHERE said, that as it appeared to be the wish of the University to be placed on the same footing as the English Universities, he should not oppose the proposed exception.

The words "University of Dublin" struck out.

Clause 6—(Sums for damages to be raised as poor rate),

Sir R. FERGUSON said, the effect of requiring a separate applotment and warrant, he feared would be burdensome and vexatious; and he hoped the sums to be collected under this Bill would be included in the warrant issued under the Bill for amending the Labour-rate Act.

Mr. MONAHAN said, that the question would remain open; provision could be made, if desirable, in the other Bill.

Mr. G. A. HAMILTON warned the right hon. Gentleman against multiplying warrants and collections. They might feel assured that the chance of collecting diminished in proportion to the number of warrants.

Mr. VESEY inquired how the expense of procuring copies of the poor-law valuation and the rate-book was to be defrayed; there seemed no power of presenting for such expenses.

The SOLICITOR GENERAL thought the collectors should have them made; the expense could not be considerable.

Mr. G. A. HAMILTON reminded the hon. and learned Gentleman that the rate-books and valuations were very voluminous; that the copies should be made accurately, and could not be done but at a considerable expense. He advised the hon. and learned Gentleman to consider the subject on the report. He would take the opportunity of stating that it was his intention to move that the words "or tithe" should be omitted; but as the Motion might involve a division, and as the state of the House at that moment did not admit of a division, he would postpone it till bringing up the report. The reason he objected to those words was, that they would extend the taxation for compensation to a class of persons and to property which was already grievously overburdened, and which, in no case heretofore, had been subjected to taxation for public works.

Other Clauses of the Bill agreed to.

House resumed. Bill to be reported.

IDOLATRY IN INDIA.

Sir R. H. INGLIS wished to put a question, interesting alike to England and India, to the President of the India Board as to the continuance of a payment on the part of the Government in India in support of the Hindoo Temple of Juggernaut. He perceived there was some difficulty about annulling the payment; but it appeared to him to be desirable that at all events all connexion between the Government of India and the maintenance of that idol should cease. It had been assumed, that when the country had been taken possession of, a pledge had been given that that payment should be continued. But he believed that that was an erroneous impression, and that no such pledge had ever been given. He had reason to think that that was also the opinion of Her Majesty's Government. An equivalent might, he believed, be given for the payment that had hitherto been made; and such an equivalent might be found in the restoration of a portion of those lands which had formerly belonged to idol temples, and which were at present in the hands of the Government. He wished to ask his right hon. Friend, what was the present state of the arrangements upon the subject? He could not help taking that opportunity of expressing his acknowledgments to his right hon. Friend for having, during his former administration, taken the first step towards the abolition of the connexion between the British Government and the maintenance of idolatry in India.

Sir J. C. HOBHOUSE had to state, in answer, that since the last report was presented on this important and delicate subject, on the 5th of August, 1843—a report which every hon. Member would do well to consider—the Court of Directors had received a very voluminous body of papers, dated 7th January, 1846, which arrived in England in the March following. One despatch was of twelve pages, and in the whole there were 1,386 folio pages, containing reports of the proceedings of all the Governments of India, Bengal, Agra, Bombay, and Madras, as to the efforts of the authorities to disconnect idol worship from the State. Before any further step were taken, he thought it would be expedient for the hon. Baronet and the House to allow these papers, or parts of them, to be laid upon the Table. He did not recommend that the whole mass should be presented; but he would endeavour to make a proper selection from them. He apprehended that the hon. Baronet was correct in what he had advanced regarding a supposed pledge. He (Sir J. C. Hobhouse) thought that the notion of a pledge was mistaken. No doubt his hon. Friend opposite was a great deal better acquainted with the details of the subject than he was, and he would perhaps confirm the opinion he had given. Doubts at least were now entertained that the decision upon the question come to in the years 1838 and 1839, was not founded upon a just consideration of the case. His noble Friend, the then Governor General, was not at the presidency at the time. Perhaps it would be better to postpone farther discussion until the papers were presented; and in the mean time he (Sir J. C. Hobhouse) would be happy to receive any suggestions, or to obey any orders on the subject the House might think fit to give him.

THE LATE COLLIERY ACCIDENT NEAR WIGAN.

Mr. FORSTER begged to ask the Secretary of State for the Home Department, whether he had received any information from the magistrates or coroner of the district tending to confirm the charges made against the owners of the Kirkless Colliery, near Wigan, in respect to the accident at that colliery, on Tuesday, the 29th ult.? And, in putting the question, he begged to state that for the charges which had been brought against the owners of the colliery, there was not the slighest ground.

Sir GEORGE GREY, in reply, stated that he had not as yet received any reply from the coroner of the district, to whom, as well as to the magistrates, he had written; neither had he received any communication from the magistrates tending to confirm the charges made against the owners of the colliery. He had, in consequence of the statement which had been made by the hon. Member for Finsbury respecting the accident, addressed a communication to the magistrates and coroner of the district, offering any assistance which could be given by the Home Office to forward the inquiry; and he had directed the magistrates to inquire rigidly into the means adopted for saving the lives of the persons who had been left in the pit, and to investigate the substance of the charges made against the proprietors of the colliery. He had just received a letter, dated the 6th of July, from the magistrates, in which they stated, that in consequence of the letter from the Home Office, they had directed their clerk to call a meeting of the magistrates, and that they had heard the statements of several parties upon the subjects alluded to in the communication. The result of the inquiry was, that they had come to an unanimous opinion as to cause of the accident. As that question, however, was still under the consideration of the coroner's inquest, he (Sir G. Grey) did not think it would be right for him to state the nature of their opinion until the verdict of the coroner's jury should have been ascertained. As to the question of the subsequent conduct of the owners of the colliery in preventing persons from descending into the pit to rescue those who might have been left alive in it, the magistrates were convinced that no man left in the pit after the explosion could have been alive, and that every exertion that could have been made was made to get them out. That letter was signed by five magistrates. As he had before stated, he had received no letter from the coroner, whose investigation was still proceeding; but he would observe, that the gentleman who had been alluded to by the hon. Member for Finsbury had had every opportunity during the inquest of examining and cross-examining any witnesses he chose.

MR. DUNCOMBE expressed his astonishment at the hon. Member for Berwick denying the grounds for the statement which he had made. He had informed Gentlemen who was his authority. The man himself had been in London, and might have been examined in the lobby of the House by the hon. Member, had he chosen to satisfy himself upon the subject. And now he (Mr. Duncombe) was prepared to support the statement he had made. If the masters could have contradicted those statements, they had had opportunities of going before the coroner, whose inquiry had been adjourned from Thursday last to that very day. But he would state what one of the owners, Mr. Robert Lankester, had himself stated. Mr. Robert Lankester said the men were bricked up and could not escape.

DESTITUTE PERSONS (IRELAND) BILL.

The House resolved itself into a Committee on the Destitute Persons (Ireland) Bill.

THE CHANCELLOR OF THE EXCHEQUER: Sir, the vote which I am about to put into your hands is merely a vote for a further advance on the security of the poor rates of the sum of 300,000*l.*, for the purpose of affording relief to destitute persons in Ireland during the present summer; but as I am about, in the course of the evening, to propose other votes to the Committee, and as, in the course of the next two or three days, I hope to propose the last vote which it will be necessary for me to submit to the House for the purposes of relief in Ireland, I should not perform my duty to this House, or meet its just expectations, if I did not avail myself of this opportunity of making a general statement of what the progress of the relief afforded has been; what its amount is, so far as we have gone, and what we anticipate regarding it for the future. I think it is due, not only to this House, but to the country, which has contributed so largely to the support of the distressed population of Ireland, that it should know how the money has been expended; and I think it is equally desirable that the people of Ireland, in the new agitation—of which we have some symptoms—for repeal, should be aware of the substantial benefits which during the last eighteen months they have derived from the union with this country. I shall not indulge in any further prefatory observations, as I am unwilling to trespass longer upon the patience of the House than is absolutely necessary. I will, therefore, at once, as plainly and as succinctly as I can, review the operations that have been carried on for the relief of the distress in Ireland. Those operations, as is known to every Gentleman in this House, began in the spring of 1846, when works were undertaken for the employment and relief of the destitute, depôts were established in various parts of Ireland, and relief committees were formed, to whom donations were made in aid of their subscriptions. But the main feature of the relief of last season, was that afforded by employment on what were called relief works; and the first four Acts of the last Session of Parliament were for the purpose, one way or other, of employing the people on works of different descriptions. The number employed on those works varied at different times. In June, the number employed was about 20,000. In July, it was a little upwards of 90,000. The relief works were never entirely discontinued from the time they were once opened; but after the resumption of sixty-seven works in the month of September, the whole number of persons employed was only 12,600. The relief, speaking in general terms, was considered to be closed in the month of August. I will now state the amount of relief afforded up to that time. The amount expended on public works was 476,000*l.* But to this there is to be added the sums advanced on grand jury presentments to the amount of 130,000*l.* The total loss on the purchase and sale of grain was 50,000*l.* The amount given in aid of relief committees by the Government was 70,000*l.* The salaries of officers employed in administering the relief was 8,000*l.*; thus making the whole sum expended in relief in Ireland up to last harvest, 734,000*l.* Of this sum there was, in loans, 368,000*l.*; and in grants, 366,000*l.* During the last weeks of the Session of 1846, a change was made in the system under which relief was to be given. The system of public works was continued under the Act, chapter 107, of last Session; but Her Majesty's present Government, believing that the mode pursued of charging this country, in the first instance, with one-half of the amount expended, had led to exorbitant demands, proposed an alteration, which was adopted by Parliament, that the whole of the expenses for the relief works should be charged on the baronies in Ireland. The Treasury Minute of August the 31st, explanatory of the altered system, and which has been printed in the first blue book laid on the Table of the House this Session, was issued and circulated. Amended rules were framed for the guidance of the relief committees. But very soon after Parliament rose, the general failure of the potato crop became known; and the consequence was, that a state of despondency and alarm extended itself from one end of Ireland to the other, and led every class of persons in that country to throw themselves on the Government for aid, to a degree that was not a little embarrassing to the Treasury. Even while the harvest was yet ungathered, and the peasant's winter store of turf uncut, applications were made for commencing additional public works, and presentments were passed at the extraordinary sessions called throughout the distressed districts, for an amount far exceeding, in many cases, the whole annual rental of the baronies; persons were placed on the relief lists who ought not to have been there, to such an extent, that we had statements from Mayo that persons were on the works who did not require any relief at all, while the destitute were lying on the roadsides without the means of subsistence, within a mile of the place where the works were going on. All this showed the absence of a vigilant superintendence on the part of the resident gentry and ratepayers with reference to those works. Many circumstances contributed to this state of things. I believe a feeling of humanity led to a great deal of this evil. The better classes were anxious to afford subsistence to the people, and the easiest mode of doing so was by procuring them employment on the public works. Intimidation also had, no doubt, much to do with the matter, in leading to improper persons being placed on the lists; and there was certainly among the people no indisposition to avail themselves of the advantages thus held out. The consequence of all this misconduct was to throw an immense number of people on the public works; and it was accordingly found, that the average number in October, was 114,000; in November, 285,000; in December, 440,000; and in January, 570,000. We vainly endeavoured to check the expenditure; and when hon. Gentlemen complain of the large staff employed in Ireland on these works, I would beg the House to understand that the whole administration of the local concerns of the country was thrown on the officers employed under the Board of Works. They had to survey and report upon the works to be executed, to say who were the proper objects for relief, to check the relief lists, to go through the whole of the duties imposed on the boards of guardians in this country; then to measure and lay out the work, to check the amount performed, to pay this enormous number of men week by week, and all this to be done in many cases with little or no assistance; and in some cases in spite of great opposition, and at no little risk. This was a most arduous undertaking, and required a very strong staff of officers and overseers: and when we saw those abuses going on, we naturally endeavoured to do everything in our power to prevent them, by multiplying checks upon the expenditure. At the end of January it was announced to Parliament that Government intended to put an end to this system of public works. The first result was, an immediate increase of the numbers employed. In spite of the most active exertions, instead of any diminution of expense, there was an increased pressure. The most stringent instructions were sent from the Treasury to the Board of Works to check in every possible way the numbers; but, nevertheless, a great increase took place. The average number of persons receiving employment in the month of February, increased to 708,000; and in the month of March, to 734,000; and I wish hon. Gentlemen would consider how enormous were the numbers for whom superintendence was required, before they complain of the number of persons employed for this purpose. The maximum expense on account of the staff, was 22,000*l.* per week; but by the last accounts which I have received, the expense of the staff has been reduced to 5,000*l.* a week; and it is ordered to be nearly altogether discontinued after the 10th of

July. At last the Government, seeing that the time suited for agricultural purposes was rapidly passing away, and that no exertions on the spot effected any material reduction of numbers, ordered that after the 20th of March, 20 per cent of the persons employed on the public works should be struck off the lists. Very little difficulty, I am happy to say, was met with in carrying this order into effect. The necessary labour was returned to agricultural employment, and a large breadth of land was cultivated for spring and green crops. Still farther reductions took place in April, May and June. In the first week in April, the total number of persons employed on the public works was 525,000. In the first week in May, the number was 419,000; in the first week in June, 101,000; and in the week ending the 26th of June, the number was reduced to 28,000. We have fixed the limit of expenditure at the rate of 100,000*l.* a month for June and July, and part of August; and we intend that the whole shall be discontinued as soon as the public works are in a state in which they can be safely and properly left. I wish to state at once for the information of hon. Members from Ireland, who are anxious to know to what extent these works are to be completed, what we intend doing with respect to them. At the end of the last season of relief, an appeal was made to Her Majesty's Government that they were bound, in good faith, to complete all the works which they had commenced. An announcement had been made from the Treasury, stating, in the most distinct manner, that the works would not be completed by Government if unfinished when the distress ceased; and that they were not to be continued a moment longer than was absolutely necessary to afford the required relief to the people. Gentlemen in Ireland stated, however, that this had not been made known in Ireland; and as the distress still continued, we acceded to their request and completed the works, in order to avoid any imputation of not fulfilling expectations in which there was any shadow of reason. We took, however, effectual measures for preventing the recurrence of such a claim. A most distinct warning was given by us, so long ago as the month of October last, that the works would not be continued one week longer than was necessary, and in no case beyond harvest. The letter from Mr. Trevelyan to the Board of Works, on this subject, stated as follows:—

"The Chancellor of the Exchequer desires me to call your particular attention to the concluding portion of the Treasury Minute. What is required is to make it known from the first, to everybody concerned, in a manner which will admit of no mistake hereafter, that works under this Act are sanctioned, not for the sake of the works themselves, but for the sake of the relief afforded by them; that they will be stopped as soon as relief is no longer necessary; and that the operation of the Act will, under any circumstances, terminate on the 15th of August, 1847; and that if the works are continued after that date, it must be, not under the provisions of the 9th and 10th of Victoria, c. 107, but under the terms of some other Act of Parliament. We wish it to be plainly understood that the advances under the 9th and 10th of Victoria, c. 107, are merely intended to answer the temporary end of maintaining the destitute poor during the period the Act will remain in operation; and that if Parliament should determine that the Irish proprietors shall support the poor after the 15th of August, 1847, by payments out of the current produce of the poor rate, instead of by loan from the Government, the transfer from one system to the other may take place without our being liable to any demands, like those which have lately been made upon us, to finish what we had begun, on pain of being considered guilty of a breach of faith."

Everything was done to make known to the people of Ireland the decision conveyed in that letter. It was distinctly told to the proprietors of Ireland, that if they wished to complete the works, they might do so under the old system of county presentment, and that with regard to drainage works, if they wished to carry them on, they could apply under the provisions of the Land Improvement Act of this Session. The whole amount which has been expended from the 15th of August last, and which will be required, according to the estimate, up to the termination of the relief system this season on public works in Ireland, is 4,900,000*l.* So much, therefore, for the system of relief on public works. I will now come to the other kinds of relief given. During the year 1846, twenty-one large depôts for corn were established in different parts of Ireland where they were most required, and there were also small depôts, of a few sacks of meal, opened at police and coastguard stations. The amount of corn purchased for these depôts in 1846 was 98,000 quarters. This year we established thirty-four large depôts principally along the western coast, from Dunfanaghy, in the most northern part of the county of Donegal, to Skibbereen, in the south-west of the county of Cork; but, profiting by the experience of the former season, instead of re-establishing the small depôts, the distribution of the food in detail was confided to the relief committees in each district. For these depôts the Government purchased 300,000 quarters of grain at a cost of upwards of 600,000*l.* Towards the repayment of this sum, there has been received 215,000*l.*, from the sale of grain, up to the end of May. What the ultimate loss may be on the sales of grain, it is impossible to say; but probably it may be about 200,000*l.* It is right to state that the whole of this amount has been purchased in the home market, and we have not had a single complaint from any person in this country as to the mode in which the purchases of grain have been carried on. One great difficulty being the want of means of grinding corn in Ireland, the Admiralty mills at Deptford, Portsmouth, Plymouth, and Malta, besides two private mills near London, which were hired, have been kept constantly employed in grinding the corn which was bought, and nearly the whole mill power in Ireland has been left for the private importers of grain into that country. We also took care not to interfere with the private trade in Ireland; and in the Treasury Minute of the 31st of August, to which I before alluded, it was stated that

—"their Lordships desire that it may be fully understood that even at those places at which Government depôts will be established for the sale of food, the depôts will not be opened while food can be obtained by the people from private traders at reasonable prices; and that even when the depôts are opened, the meal will, if possible, be sold at such prices as will allow of the private trader selling at the same price with a reasonable profit."

Having stated the intentions of the Government in their orders relating to the management of the depôts, I will read an extract of a letter received not long ago from Sir R. Routh, which will show that those orders have been fully and beneficially carried out. He says—

"The commissariat establishments have, during this season, been confined to the western coast, where, as pioneers of trade, they might lead the way to the encouragement of commercial enterprise, and to the creation of a system by which the country might meet a new calamity, by the exercise of their own resources, and the exertion of their own industry. On many points on the western coast, this intention has been admirably supported. The trade has imported largely; and when they have had extensive supplies, we have generally suspended our sales."

The commissariat establishments were confined to the western coast, and, with one exception, no complaint has been made of the interference with private trading. A complaint was brought forward a few nights ago by one of the hon. Members for Birmingham, on the part, if I understood rightly, of parties who had imported grain, that they had been undersold by Government; but, in my belief, the true cause of their complaint is, that these parties had purchased grain at a higher price than could now be obtained, a consequence of the natural fall of prices in the market. The intention of the Government, as expressed in the instructions issued from the Treasury throughout, was to sell according to the market price of the day; and it is not unlikely, therefore, that the price at the Government depôts would be lower than that at which, after this fall of price, the dealer could sell with a profit. In addition to the public depôts established by Government, there were, in the eastern part of Ireland, fourteen depôts, managed by the Commissariat officers on behalf of the British Relief Association, and of the Relief Committee of the Society of Friends, to which the bulk of the American charitable contributions was consigned. It was apprehended, early in the year, that, as these bodies were acting quite independently of Government, considerable inconvenience might arise; and as it was exceedingly desirable that all the relief operations should be conducted in a uniform manner, it was mutually agreed that the Government should take charge of these depôts, on account of the parties, and sell the meal, or make free grants, as might be decided by them. The charitable supplies sent from the United States, were to a very considerable extent. I do not know the exact quantity; but some idea may be formed of it when I state that the freight alone upon it was 30,000*l.*, which the Government has paid. The third mode of relief, and that which became the foundation of the present system, under which relief is now generally administered throughout Ireland, was the establishment of relief committees. Some of these committees were established early in 1846. The relief committees had two distinct duties to perform. One of these was forming lists for the employment of persons on the public works—a duty which, as already observed, I am sorry to say they discharged in many parts of Ireland in a very improper manner; and the other was raising subscriptions, providing food in various ways, and taking charge of the aged and infirm—and that duty has been in general most efficiently fulfilled. In the early part of 1846, there were in the whole of Ireland 648 relief committees, of which 484 received grants from Government in aid of subscriptions. They expended in a great measure their own money, which circumstance made them more careful in seeing that it was laid out with the greatest possible advantage and economy. They received last year 101,000*l*., in subscriptions, and 70,000*l*. in donations from the Government; and these funds were, I believe, on the whole, very usefully applied. In the early part of this year the number of relief committees had increased to 1,097, and of these 879 received grants from the Government. The entire amount of subscriptions was 199,000*l*., and the donations in aid of the subscriptions amounted to 191,000*l*. more, making a total of 390,000*l*. expended by the relief committees in the course of this year. These committees pursued in the main the same system as those of the preceding year, introducing however very generally the establishment of soup kitchens, which led to the foundation of the present system, and the distribution of cooked food, in which shape the Irish people are now receiving relief. The great defect in the former system of relief committees was, that they were only voluntary, and that in many places, especially in the most distressed parts of Ireland, they could not be established, as it was impossible to find in such localities persons who would subscribe the necessary funds. This led to the passing of the Act of the 10th Victoria, chap. 7, which empowered the Lord Lieutenant to form relief committees in every electoral district throughout Ireland, and authorized the levy of rates for the purposes of relief. That Act was passed in the spring, and is in operation over a great part of Ireland at this moment. There are 2,049 electoral divisions; in 1,386 electoral divisions relief committees have been formed, which have received aid by advances of money upon the security of the rates; 48 have received aid by loans and also by grants; and 45 have raised subscriptions themselves for relieving their poor, and have received likewise Government grants in aid. There are, therefore, 1,479 electoral divisions now under the operation of the Act, and the other 570, principally in the north of Ireland, have as yet received neither loans nor grants; they have in many cases relieved their poor out of their own means. I am happy to say that the effects of this system have been most satisfactory. From many parts of Ireland, especially from the western districts, which had been the most distressed, I have had communications, bearing testimony to the improved appearance of the people, stating that the improvement in the aspect and bodily health of the population was such as to astonish those who had seen the condition of the people in the earlier part of the year. I have in particular the valuable testimony of Colonel Jones, chairman of the Board of Works, who has, in several letters, described the condition of various places he had visited. In the first letter, dated at Bantry Bay, June 26, Colonel Jones describes what he had seen at Skibbereen. He says—

> "At Skibbereen I was greatly surprised with the appearance of the town and people; the latter looking in very good condition, very few miserable or famished objects to be seen; the former had signs of bustle, well-stocked shops, and an air of business. There is no want of food there at present. The fish market was well supplied, and whilst I was in the town several boats arrived with mackerel of a very fine sort, and which were sold at a moderate price."

His next letter is from Valentia, to the northward, dated June 28:—

> "Judging by the appearance of the people, they are much improved in health; and such was admitted to me by every person I spoke to upon the subject. Fever is diminishing very fast, and has assumed a much milder form; deaths are very much less frequent."

This morning we have heard from him when at Galway, his letter bearing date July 1. He says—

> "Certainly, to judge by the countenances of the people, a stranger would not suppose that the population had been suffering from want of food. I was glad to observe yesterday, in Galway market, the countrywomen had each their basket with something for sale, and a good deal of poultry. There were from twenty to thirty carts loaded with last year's oats for sale."

On a former occasion I read to the House a letter from Count Strzelecki, a gentleman employed by the British Association, and I will quote that letter again; it is dated from Westport, and he says that—

> "The great recommendation of the present system, independently of its comparative merits, is, that besides being more systematic, and capable of contracting and extending its issues from fortnight to fortnight, and thus of adjusting and adapting itself to circumstances, it is more effective; for, since it came into operation, the afflicting and heart-rending crowds of destitutes have disappeared, and Westport, the receptacle of misery, assumes daily a more cheering aspect."

These are reports from different places along the western coast; and Sir John Burgoyne, the chairman of the Relief

Board, who has accounts also from various other parts of the country, reports as follows, on June 28:—

> "The accounts are generally that the people are getting perceptibly more healthy, that fever is decreasing in most parts, and the mortality in a still greater degree. The precautionary measures adopted under the Fever Act, cleansing, whitewashing, and removing nuisances, seem to have been attended with very beneficial effects. They have been effected at a very small expense, and have been greatly promoted by the exertions of our officers."

I am happy to state further, that from the weekly reports of the constabulary officers, it appears that the number of deaths which can in any way be caused by distress is daily diminishing. In the week ending the 29th of June, only four deaths are reported to have taken place in the whole of Ireland which could be attributed to destitution, while thirteen deaths from starvation were reported to have taken place in the county of Mayo alone, in the week ending the 28th of February. It is equally satisfactory to find that there has been a decrease of crime. I will only specify those crimes which might be supposed to have been prompted by want of food; and from the returns for May and June it appeared that burglaries had decreased from 242 in May to 142 in June; highway robberies, from 29 to 20; other robberies, from 115 to 72; cattle-stealing, from 1,446 to 858; plundering provisions, from 173 to 57; levying contributions, from 49 to 20. Crime, therefore, has diminished more than one-half in one month. The decrease of the expenditure is equally striking. The expenses of every kind for the four weeks ending the 20th of March amounted to 1,020,592*l*., while for the four weeks ending the 12th of June they were 539,671*l*., showing a diminution of no less than 480,921*l*. in the comparison between the two periods when both systems were in full operation. To illustrate this farther, I will take the case of two baronies in the county of Clare. The persons employed on public works by the relief committees in these baronies at one time were 11,696; and, allowing the usual average of four persons to be supported by the earnings of each of the persons employed on the works, this gave relief to 46,784 persons. In those two baronies the whole number of persons returned by the relief committees as receiving rations under the superintendence of the Government officers is 11,046, being actually less than the number employed upon the public works. I am far from saying that abuses do not exist in parts of Ireland, in the present system; and, indeed, I mentioned on a former occasion, that in one district the relief committees had sent in a list of persons to be relieved exceeding by 2,000 the whole population of the district. Various checks have been established against this and other abuses which are attempted. First, the personal appearance of all parties requiring relief is insisted upon, exceptions only being made in favour of the sick. I am afraid that this exception is open to abuse; for I have heard that in parts of the country it has led to what was one of the main evils of the old system of relief in this country, "relief in aid of wages." The main check, however, is the distribution of relief in the shape of cooked food; and I hope that gentlemen who superintend the distribution of food in Ireland will steadily adhere to the rule of giving it in that form. This change has been one of the best steps that could have been taken; and I assure the House that the Government are firmly resolved to persist in it. I will read a report from one union:—

> "The people invariably refuse dressed food at first, but after a few days give it a decided preference. Some hostility was manifested in Enniscrorothy to the porridge on the first day; but such is their desire to procure the cooked food now, that, when the supply falls short, they prefer waiting an hour or two for a fresh boiling to taking raw rations. I feel satisfied that health, comfort, and economy are best promoted by the substitution of cooked for raw food under present circumstances."

If hon. Gentlemen will refer to the Appendix to the Third Report of the Relief Commissioners, they will find that great abuses took place when uncooked food was distributed. The following passages are extracts from reports of Inspecting Officers on this subject:—

> "When the rations were issued in an uncooked state, even the most destitute in many instances disposed of them for tea, tobacco, and even spirits; and those who were disposed to cook the Indian meal utterly failed, not being aware of its requiring to be well steeped previously. Instances have been reported to me of men receiving meal for their families, selling it immediately, and getting drunk upon the proceeds, leaving their children to starve; and last week, in ——, a man received 5lb. of Indian meal; he devoured part of it raw on the road to his home, and made away with the remainder, as he arrived without any for four famishing children. Not being seen for two or three days the police broke into the house, and found the man with two of the children dead, and the remaining two at the point of death."

Such were the abuses which resulted from the distribution of uncooked food; and I believe that one of the best measures which has been adopted was the distribution of cooked food. In many parts of Ireland, I am sorry to say, some resistance was made, but the relief officers have received positive instructions to distribute only cooked food or steeped meal; and that if raw food is given, in opposition to those instructions, no further advances will be made to the unions where that abuse is permitted; and I am very anxious to impress upon Irish Gentlemen the importance of enforcing this rule in their respective neighbourhoods. The check upon the relief committees and those who distributed the relief is, that part of the payment is charged on rates to be immediately levied. On a former occasion I stated that there were some unions in which persons not entitled to relief had been struck off the lists; and I have received a letter from Sir John Burgoyne, dated the 28th of June, in which he says—

> "I have this day received a report which pleased me very much, being of an electoral division in Gort, county of Galway, where the farmer ratepayers have denounced several persons on the lists as not entitled to relief, and caused some fifty or sixty to be struck off."

I do not mean to say that I am aware of any sum having been actually received in repayment of the advances made by Government for the purpose of this relief; but steps have been taken in several unions for striking and collecting rates; and the effect of this has operated most beneficially in checking the expenditure. On the whole, considering the magnitude of the operations the Government has had to undertake, the enormous number of persons requiring relief, and the difficulty of obtaining adequate local assistance, the administration of relief by the distribution of food has been most beneficial; I repeat that I do not mean to say that abuses have not prevailed, and that the people are not liable to be demoralised by being taught to depend upon the Government for their maintenance; but the system of relief by works was open to all these objections, whilst the present system is infinitely better in many respects than the employment on relief works. Beyond the good results which have attended this system, there is another measure to which I must refer—the establishment of fever hospitals. The orders on certificates of the Board of Health up to the 18th of June were for 207 hospitals, 7 dispensaries, 13,126 patients, 575 nurses, and 280 ward-maids. The Committee must not, however, infer from these numbers, that they are an absolute increase in the number of sick; for the patients who would in other years have been in the ordinary hospitals have this year been transferred to those under the Fever Act; so that part of this number is only a transfer from other places, and not an addition. We have to a small amount given aid to workhouses, where funds were immediately wanted for the support of the inmates. Whilst on this part of the subject I may mention, that in consequence of their neglect of their duty, the Commissioners have been obliged to suspend two boards of guardians. [Mr. CALLAGHAN: Where?] At Castlebar and Ballinrobe. A sum of 18,000*l.* has been given in aid to workhouses for food, and 60,000*l.* has been advanced to unions for the erection of fever wards. Many of the workhouses were unable, from want of means, to accommodate the full number of persons which they were calculated to hold, and in these cases bedding and clothing have been supplied from the public stores, and as a larger quantity was sent over than was required for this purpose, some bedding and clothing has also been distributed to relief committees. The Government has also been at great pains to encourage the fisheries of Ireland; and I hope the impulse thus given to that branch of industry will be attended with the effects anticipated from it. Having thus stated the extent to which relief has been carried under the operation of the Act of this Session, I must express my satisfaction at finding that the expense has fallen below the amount I originally estimated. At one period I conceived it would amount to about 3,000,000*l.*; but it will be no more than 2,200,000*l.* Last year it was determined that the Government system of relief should terminate with the harvest; this year the same period is proposed; and directions have been given to close it, throughout Ireland, not upon any particular day, but according to the circumstances of the respective districts, to depend partly upon the gathering in of the harvest and the potato crop. When those crops have been gathered, there will be an end to the system of public relief, either by food or employment; and it is believed that both will be closed before the end of August, after which those who require relief must look to their respective unions. Relief must be afforded from the rates; but we must, I think, and for reasons which I will shortly mention, afford as much aid as we can by advances of money for the purpose of giving facilities for the employment of labour. There will thus have been three distinct phases of relief: first, by employment on public works; secondly, by the distribution of food; and, lastly, by aid for the employment of labour. The system of public works was based upon the experience of all former examples of assistance afforded to the people of Ireland in periods of distress, and is, I believe, the best that could have been adopted to a limited extent; but it was not calculated to bear the enormous pressure of last autumn and winter. No machinery of Government officers could prevent the general prevalence of abuses; and the system fairly broke down. We then proposed the present system of relief by food. It was at this period that my noble Friend the Member for Lynn proposed his scheme for affording extensive employment by loans to the railroad companies in Ireland. No doubt employment in any way was desirable; but I do not consider that the proposition of my noble Friend was adequate to meet the evils which, at the time it was made, afflicted the country. Those who could have derived benefit from the utmost practicable extension of that scheme, would have been a small part of those who absolutely would have been starved to death, but for the assistance which we rendered to them. I believe that relief by giving food to the people was absolutely indispensable. The Poor Law had not been long established in Ireland, and out-door relief had not been established at all. They had no practice, nor any machinery by which adequate relief could have been afforded to such as could not be supported by employment on railroads: it was indispensable, therefore, for the Government to interfere as it did, and to establish the machinery for bringing food within reach of the people. The people of Ireland are now in a different situation; they have had experience of the relief which has been afforded to them on a large scale, and have had time to form a judgment of what system it is best for them to organize, and also what are the best resources to which they should look for permanent support. They have now the experience of a year and a half of the administration of relief in different ways. Machinery for the purpose is established in the different electoral divisions of the country; an Act has been passed authorizing the appointment of relieving officers, and giving relief out of the workhouse. The time is therefore come when the people of Ireland must look for the relief of destitution to the rates to be raised on the spot. I do not mean to say that this will not be a heavy charge upon them; but it is one which they must bear, as the people in this country do, in supporting their own poor. With a view to enable them to meet their own immediate wants, it has been provided that the repayment of the advances of the public money should not press upon them in the course of the ensuing autumn. We have directed that in appropriating the rates for the expenses of the Relief Commission during the present summer, the current expenditure under the ordinary Poor Law should always be the primary charge on the rates; and, in like manner, we have directed that the expense for maintaining the poor shall be defrayed before any repayment is claimed out of the rates to be collected in the autumn. It is well known that rates are more easily collected when the harvest is gathered in, and the produce of the farmer is brought to market; and therefore this demand upon him will be more easily met. Partly for this reason, and partly also because we found that the Board of Works could not complete all the certificates in time, we have postponed making any claim for repayment of the advances made for public works under the Act (9 and 10 Victoria, c. 107) of the end of last Session, till the spring assizes of 1848. The repayment, therefore, of the first instalment due on account of advances for the public works of the last season, will not be made until after the spring assizes; the rates, therefore, during the coming autumn, will be altogether available for the relief of the people until that period. The repayment, therefore, is so arranged as not to press heavily upon them when the Poor Relief Bill comes first into full operation. They will have nothing to provide in the way of repayment in the course of the autumn but the second instalment for the works of last Session, whether granted under the Board of Works or under grand jury presentment. The amount of this instalment is but small: under grand jury presentments it is 14,500*l.*, and under the Act of last Session, cap. 1, 12,500*l.*, making a total of only 27,000*l.* This is the total amount of repayment to be made by the people of Ireland in the interval between the summer and spring assizes. Nevertheless, although the pressure upon the people of Ireland for repaying any portion of the expense which has been incurred for the relief of the destitute during the last eighteen months, will be very trifling—during the next autumn and winter, there will be great demands upon the rates for maintaining persons out of employment; and they will stand in need of all the aid towards finding employment which we can legitimately give them. I am afraid that, under any circumstances, there will be a considerable number of persons for whom no employment can be found in the ordinary avocations of agriculture. Both Sir John Burgoyne and Colonel Jones have expressed apprehensions on this head; and the former regrets the loss of the Waste Lands Bill, from thinking that it would have afforded employment for labour in some of the most destitute districts. With these views, we propose to take power to make further advances for the purpose of finding employment for able-bodied persons. The works at present in progress in Ireland, aided by the public funds, are as follows: First, the Shannon navigation, which has been in operation for some years. Secondly, works for the improvement of navigation and drainage connected therewith, for which a vote has been taken in further execution of the Act which was passed last Session; and I shall propose in the next Committee of Supply a further grant of 5,500*l.* towards the improvement of the River Hinde, in one of the most distressed counties in Ireland—the county of Roscommon. Thirdly, the promotion of the sea fisheries in Ireland, by the repair and construction of fishery piers, for which a sum of 50,000*l.* was voted last year; and for which in the present Session I have taken an additional sum of 40,000*l.* Fourthly, the drainage and improvement of landed estates by the proprietors themselves, for which, as the Committee is aware, a sum of 1,500,000*l.* has been voted. And, fifthly, those railroads for aiding in the construction of which, a sum of 620,000*l.* has been already voted. There remains the drainage executed by the Board of Works, in deepening and straightening the course of rivers which afford the outfalls for main drainage in Ireland. It is obvious that these works are of the greatest importance, as preliminary to the drainage of each estate which is to be effected under the Land Improvement Act. The money which has hitherto been expended upon these works, has been chiefly obtained from private sources: the Board of Works issued debentures, upon the security of which many of the principal people in Ireland, including the Lord Chief Justice of the Court of Queen's Bench, have advanced considerable sums: the whole amount borrowed from the Government is only 36,000*l.*, while the sums lent by private individuals amount to no less than 127,000*l.* In the present circumstances of Ireland, however, there is considerable difficulty in obtaining money from private sources; and I propose, therefore, to vote further sums of money to be added to the loan fund of the Board of Works in Ireland, to be advanced by them for works of public utility in Ireland, but mainly for drainage of this description. I find that the Public Works Loan Commissioners in England, can spare the sum of 120,000*l.*, which I propose to transfer from their account to that of the Board of Works in Ireland, in addition to the 60,000*l.* which is appropriated every year to the latter body; and I shall also propose to issue to them from the Consolidated Fund a further sum of 250,000*l.*, making altogether a sum of 430,000*l.* to be at their disposal between March last and the 1st of April 1848. I am very sorry to say, that I anticipate a less expenditure in the course of the next autumn and winter, out of the 1,500,000*l.*, for the improvement of landed estates than I had hoped for. The Board of Works do not expect that the expenditure within that time will exceed 400,000*l.* There has been some difficulty as to the return of 6½ per cent in the improvement of the land by the money to be laid out upon it: it would be unjust to the remainder-man if the improved value of the land was not equal to the charge fixed upon it which he will have to pay; this improvement, however, cannot in all cases be expected to accrue as soon as the works are completed. Gentlemen are aware that in drainage, for instance, the full benefit to be derived from the work will be attained in different soils at different periods from the completion of the drains. In order, therefore, to remove difficulties, we have issued a Treasury Minute declaring that we shall be quite satisfied if an improved value to the extent of 6½ per cent on the money laid out is to be expected from the land, when the full benefit of the improvement shall arise. No one can be more sensible than I am, that it is most desirable that money should be expended in Ireland in improving the productive power of that country; but so many difficulties seem to arise in doing this through the operation of the Land Improvement Act in the course of this year, when the necessity for employing the able-bodied persons is greatest, that I am not sorry to have devoted a certain sum to loans to railroad companies, by which considerable employment will be given, and the ultimate return of the money to the public is secured. These, then, are the modes in which we propose to expend money for the employment of the people in Ireland up to April next. Beyond this, I believe, that the interference of the Government would do more harm than good, by tending to increase the disposition of the people to depend upon relief from Government, and not to avail themselves of those means of subsistence which are in their own power. To give an instance how helpless the people are, and yet with how small an exertion the charge upon rates may be relieved, I will quote from a letter from Sir John Burgoyne of the 30th of June, an account of what happened at Arklow within fifty miles of Dublin. He says—

> "The herring fishing has commenced on this eastern coast favourably. I had just induced the Relief Association of the Society of Friends to advance 50*l.* for releasing upwards of 200 nets, the fishermen of Arklow had pawned! Those very nets brought in fish the next morning that sold for 30*l.* The men had been previously on the relief lists with their families, receiving gratuitous rations, and in idleness."

Such, Sir, has been the course pursued for the relief of distress in Ireland, and such, so far as we can foresee, are the measures for the next few months. I am far from saying that mistakes have not been made; but in reviewing the conduct of the Government and its officers, I must beg hon. Gentlemen to remember the enormous difficulties: the pressure upon us from all parts of Ireland; the little assistance we have received; and that if our measures were not prompt, the lives of thousands might be sacrificed. Looking back upon all this, I confess I am astonished at the success which, upon the whole, has attended our measures. Early in the Session many Gentlemen coming over from Ireland imputed much blame to the Government for the course which they were pursuing, and prophesied that the system of relief then proposed would be a failure; but those who blamed suggested no better alternative, and those who prophesied failure have turned out, as events have shown, false prophets. We have now the satisfaction of feeling that, both in relieving distress and diminishing the burden upon the public, the measures of the Government have been successful. I cannot resist reading the opinion of Sir John Burgoyne on this subject in a letter received from him so lately as June 30th; and the opinion of no one can be entitled to more weight than his. He says—

> "I consider our temporary relief measure the grandest attempt ever made to grapple with famine over a whole country, as the recent calamity may be described in Ireland. In spite of every difficulty, it has arrested it, except in limited spots, where opposition or apathy could not be overcome. I think that the Government and Parliament deserve great credit for not flinching from the proceeding; but it must be confessed to be one *hors de regle*, and that we should withdraw from it as early as possible, as demoralising and attended with a great amount of unproductive expenditure. I have always been aware of these evils, and have endeavoured to prevent our mode of administering relief from increasing them; but they are inseparable from the measure; and I assert that measure to have been the only one that could have checked a generally spread mortality from actual starvation; and that is a full answer to the cavillers against it."

I cannot, Sir, pass from this part of the subject, without expressing on the part of Her Majesty's Government the gratitude which we feel for the forbearing and generous support which we have received from men of all political parties during this most critical period, when famine and pestilence were so generally prevalent in Ireland. They felt how overwhelming the difficulties were, and, as I believe the people of this country always will do in real danger, they unanimously concurred in the measures best calculated to overcome them. It would, also, Sir, be most unjust not to pay their well-deserved tribute of praise to those officers who have been employed under the Government in carrying on these measures, from Mr. Trevelyan and the gentlemen in the Treasury under him, to the officers and clerks employed in the furthest parts of Ireland. Without the indefatigable exertions of Mr. Trevelyan, I really do not know how our operations could have been carried on from day to day; and the utmost exertions have been made by Sir John Burgoyne and the gentlemen employed in the Relief Commission; by Sir Randolph Routh and the officers of the Commissariat; by Colonel Jones, and every member of the Board of Works; and by the persons in their respective establishments. To the officers and gentlemen employed in the different parts of Ireland, the greatest praise is due, for their exertions under most difficult circumstances, and amidst fever and disease, to which, alas! several of them have fallen victims. It is indeed difficult to picture the various duties which were imposed upon these officers, as upon them, in fact, fell nearly the whole administration of the local concerns of the country; and the whole of what is managed in England by magistrates, boards of guardians, overseers, and relieving officers, independently of the charge of enormous public works; and the superintendence of such a body of men as was never before in any country employed at the public expense. It is true, Sir, that money has been largely spent; but we have at least the satisfaction of thinking that this expenditure has, under the blessing of Providence, been the means of saving the lives of thousands. With regard to the future, it is impossible not to contemplate what may come upon us in the autumn with some anxiety; and if again the potato crop should fail, it may be again necessary to extend aid to the people of Ireland; but so far as the present appearance of the crops in that country goes, —both those of grain and the green crops —I believe it is very promising. [Lord G. BENTINCK: Of the potato crops?] I referred to the grain crops; nor do I think it possible to express any decided opinion at present as to the potato crop. I believe the quantity planted in Ireland to be from a third to a fourth of the usual quantity; and there is no doubt that symptoms of disease have appeared in various parts of the country. There have, however, been recent accounts in this country of the disease having been checked where it appeared some time ago. I will not, therefore, venture to express a confident opinion on this subject, either one way or the other; but with reference to the grain and green crops, there seems to be every prospect of an abundant harvest. Land has been extensively sown in Ireland; and on this subject, I will read a report from one of the inspecting officers, Captain Fishbourne, applicable to great part of the north of Ireland. He says—

> "I have just returned from a tour through Louth, Tyrone, Donegal, Fermanagh, Cavan, and Meath; and you will be glad to learn that the crops throughout were looking most luxuriant, and some were very forward. I ought, perhaps, to except the more mountainous parts of Donegal near the sea, especially in the Rosses. The country, under its present circumstances, can never feed its population; and, even in the best years, many would starve but for the quantity of fish on their coast and in their rivers. There is much room for improvement, and some has been, and is being, undertaken with profit. I saw some, which had been taken in by Sir Edmund Hayes last year, bearing crops which will nearly pay him his outlay this year. Mr. Hamilton of Filtown has given a great deal of employment in the same way, and has thus kept his electoral division from coming under the Relief Act."

Captain Fishbourne then makes a statement which is very remarkable, as to the value of land in Ireland. He says that—

> "Mr. Hamilton cannot obtain land from his tenants at anything like its value. One man asked him 70*l*. for a farm valued at 30*s*."

The letter then continues—

> "I saw improvements in progress on a small scale in several parts on small holdings that had been vacated during the year. The quantity of corn sown is much greater than usual; and the quantity of green crops is quite surprising. Turnips are being still sown, as some of the committees are very properly forcing the people to sow; and I am sorry to say the people will do little even to benefit themselves unless forced to do so—they have been so indoctrinated with the idea that Government must support them."

This is, I think, upon the whole, a very satisfactory account, especially as far as regards the county of Donegal, which is one of the most destitute in Ireland. There, and in other parts of the western coast of Ireland, I am afraid that distress will prevail to a considerable extent; but nevertheless, with a view to the permanent welfare of Ireland, it is time for Government to withdraw its aid as much as possible. The interference of Government damps all independent exertion; and the longer dependence upon it continues, the less able will the people be to help themselves. In the letter which I have just quoted, this dependence is strongly stated, and I will conclude by reading a short paragraph of a letter recently received from Colonel Jones, than whom no one has had a better opportunity of forming a correct judgment upon the effect of our late measures:—

> "I am perfectly certain, he says, it is that constant reliance upon Government aid and support, which tends more than anything else to neutralize enterprize and individual exertion. The upper classes all seek for it, and the lower orders, once they learn that it is in contemplation to assist them, their own exertions cease."

Sir, I will now come to the expenditure for the relief of distress since August last. I have already stated that the relief of last season up to September, 1846, was 738,000*l*., and I am now about to state the cost of the relief from that time to the coming harvest, when it is proposed that relief should cease, together with the amount of advances for works up to the 31st of March next. The whole expenditure upon relief works, will be in round numbers 5,000,000*l.*; and I have stated the probable expenditure under the Relief Commission at 2,200,000*l.* I think, however, that the most satisfactory way of stating the expenditure, will be to divide it into grants and loans, and the account will then be as follows:—

1st Grants:—

Half of the expense of works under 9th and 10th Vic. c. 107	£2,500,000
Grants by Relief Commississioners (Sir J. Burgoyne's Commission) ...	1,000,000
Staff of Board of Works and of Relief Commission	310,000
Donations to Relief Committees made previously to the establishment of the Relief Commission	190,000
Estimated loss on Commissariat operations, &c., already voted ...	250,000
Then there is, probable expenditure on fishery piers, and navigation connected with drainage	130,000
Making a total of grants ...	£4,380,000

The sum total, therefore, by way of grant is 4,380,000*l.*

I now come to the advances by way of loan:—

1st. Advances to be repaid out of rates:—	
Half of the expense of works under the 9th and 10th Vic., c. 107 ...	£2,500,000
Loans by Relief Commissioners ...	1,200,000
2nd. Advances for works, repayment of which is to be charged on land, or railroads:—	
For railroads	620,000
Increase to Board of Works loan fund	250,000
Estimated advance for land improvement up to April, 1848	400,000
Making a total of advances ...	£4,970,000

The whole sum, therefore, expended in Ireland since August last, and to be expended up to the 31st of March, 1848, is 9,350,000*l.*

SIR J. GRAHAM: How much of that sum was by way of loan?

The CHANCELLOR OF THE EXCHEQUER: The amount charged on the rates, partly for relief works and partly for food, is 3,700,000*l.*, and the amount to be advanced for works of drainage, railroads, &c., is 1,270,000*l.* The Committee will remember that, when I made my statement on the probable demands for Ireland early in the Session, I estimated the probable expense for the year, of the relief of distress in Ireland, by all the various means to which I referred, at 10,000,000*l.* I then said that 2,000,000*l.* had been already advanced, and I took a loan for 8,000,000*l.* more. The estimated expenditure now is 9,350,000*l.*, which, deducted from 10,000,000*l.*, leaves an available balance in the Exchequer of 650,000*l.* At the same time, there may be further demands for loans under the Land Improvement Bill. I am afraid that such a demand will not be made, but I propose to reserve that sum in hand in order to meet any contingent expenses. The vote I now ask for is a further sum of 300,000*l.*, to be advanced by way of loan upon the security of the rates. That will make in all 1,200,000*l.* of loan to Ireland for the system of relief by food, and is the only vote to be taken in this Committee. I shall afterwards propose to go into Committee in order to take a vote for the remission of one half of the sum advanced by loan on the credit of presentments for public works, and for the further advances for drainage and works of public utility; and I shall on Monday propose the votes which are to be taken in Committee of Supply. The right hon. Gentleman concluded by moving—

"That provision be made, out of the Consolidated Fund of the United Kingdom of Great Britain and Ireland, for the issue of any sum not exceeding 300,000*l.*, to be advanced, by way of loan, on the security of Rates to be levied in Ireland, to the Relief Commissioners appointed in pursuance of an Act of the present Session, for the temporary Relief of Destitute Persons in Ireland."

Resolution agreed to be reported.

House resumed.

PUBLIC WORKS AND DRAINAGE (IRELAND) BILL.

House in Committee on the Public Works and Drainage (Ireland) Bill.

The CHANCELLOR OF THE EXCHEQUER moved the first of the following Resolutions:—

"1. That the several Counties and Districts in Ireland, now liable to the repayment of sums advanced out of the Consolidated Fund of the United Kingdom of Great Britain and Ireland, in pursuance of two Acts for the Relief of Distress in Ireland, by the employment of the Labouring Poor (9th and 10th Vic., c. 107, and 10th Vic., c. 10), shall be exonerated from the repayment of one moiety of the sums so advanced for Works of a public nature.

"2. That the Commissioners of Her Majesty's Treasury be authorized to direct the Commissioners of Public Works in England to transfer to the Commissioners of Public Works in Ireland, out of the Funds standing to the account of the said Commissioners of Public Works in England, any sum not exceeding 120,000*l.*, to be applied by the said Commissioners of Public Works in Ireland, for making loans under the provisions of any of the Acts authorizing the said Commissioners to make advances for the extension and promotion of Drainage and other Works of public utility in Ireland.

"3. That the Commissioners of Her Majesty's Treasury be authorized to direct the issue, out of the Consolidated Fund of the United Kingdom of Great Britain and Ireland, of any sum not exceeding 250,000*l.* to be applied by the Commissioners of Public Works in Ireland, for making loans under the provisions of any of the Acts authorizing the said Commissioners to make advances for the extension and promotion of Drainage and other Works of public utility in Ireland."

SIR JAMES GRAHAM wished to put one question with respect to the expenditure provided for by the statute. He understood the right hon. Gentleman to say that there were now more than 1,400,000 persons in the hospitals of Ireland under the Board of Health. Now, if he understood it properly, the Act which regulated the appointment of the Board of Health and the hospitals provided that all the expense of medicine, nourishment, clothing—everything, in fact, except the salaries of the medical officers—should be defrayed out of the poor rate. He wanted to ask the right hon. Gentleman whether any rate had been levied for that purpose in Ireland; and, if not, from what fund all those payments were to be received?

The CHANCELLOR OF THE EXCHEQUER said, that he was not aware that any part of any rate had been actually collected in repayment of the sums advanced for relief in Ireland; but he was informed that some rates had been struck; and he believed that several were in progress of collection. [Sir J. GRAHAM: From what fund have these expenses been paid?] The right hon. Baronet must not suppose that there has been no collection of rates; although no sum has been collected in repayment of these advances, there has, in fact, been a considerable collection of rates within the last three months; but I am not prepared to say that there may not have been some advances made by the Government for the expenses of the fever hospitals.

MR. B. OSBORNE could not help expressing his surprise that no hon. Gentleman connected with Ireland had risen to express his opinion upon the statement of the right hon. Gentleman. The right hon. Gentleman had represented Ireland as now being in a comparative state of felicity and happiness. He had described the condition of Ireland as though it were the happy valley of Rasselas; but he (Mr. Osborne) was sorry to say, that the accounts which he received from that country were of a very different character. He admitted that to a certain degree famine had been staved off; but if the measures of the Government had been successful in giving temporary relief, the people had been altogether demoralised by those measures. Those measures had completely broken down the classes above the labouring classes; and he was perfectly satisfied that neither the farmers nor gentry of Ireland could go through another year of similar distress. Last year's rents had not been paid; and the rates were so heavy upon the gentry that he believed it would be impossible to collect them. He looked forward to the next winter with feelings of the greatest horror and alarm, dreading, as he did, a widespread ruin, amounting almost to revolution, in Ireland next winter. He did not deny that the Soup Bill of the Government had succeeded beyond his expectations, through the wonderful exertions of Sir J. Burgoyne and the other officers employed; but he had received numerous representations—and, amongst others, one from a large establishment employing 1,500 men—which satisfied him that the demoralisation effected by such measures was very great. He regretted extremely the withdrawal of the Bill for facilitating the sale of encumbered estates; because he believed that without such a measure the state of society in Ireland must go on from worse to worse, and that until they adopted measures for the purpose of throwing encumbered estates into the market they could do nothing to ameliorate the condition of Ireland. He did not blame the Government for withdrawing the Bill; they might have been compelled by the pressure of business and other circumstances to do so; but he begged to warn the noble Lord not to be misled by the fair prospects held out by his right hon. Friend; for Ireland was now in a more desperate state than ever she had been before. He well knew that there was organized in Ireland a widespread system for resisting the payment of rates; and that even persons of consideration and substance were doubting whether they should not give in their adherence to the repeal of the Union. The fact was, that a feeling of despair and dismay reigned in the breasts of all classes in Ireland; and whatever party should happen to be in power next Parliament, they would find that they must legislate for Ireland in a very different spirit from that which the present Session had witnessed.

MR. LABOUCHERE said, that the hon. Gentleman had entirely misunderstood, and, therefore, entirely misrepresented, the statement of his right hon. Friend. His right hon. Friend had not described Ireland as enjoying at present any peculiar degree of felicity; he was well aware that after all she had gone through during the past year, much of misery and suffering must still remain; but what his right hon. Friend did state was, that the efforts made by Parliament and the Government had been successful in mitigating that suffering; and that the latest measure for the distribution of food in Ireland had been the means of saving human life to a very large extent from the effects of famine, which, with pestilence, had been stalking through the land with fearful strides. That measure had effected those great objects—it had fed the multitude; it had saved human life by hundreds; and it had had the important effect of staying the progress of fever, so that the mortality had greatly diminished. But there was another point to which he wished to advert. The hon. Gentleman had repeated an expression which had been frequently used in the course of these debates; he had said, that whatever the Government had done to relieve the people, they had demoralised them; but there was a great fallacy involved in the use of that word. Looking at it by itself, it could not be denied that for a Government to undertake the employment or the feeding of immense multitudes of the people, and thus to interfere with the ordinary course of affairs, was calculated to produce great evils; but when the hon. Member spoke of demoralisation, he denied altogether that the measures of the Government, taken as a whole, had had that effect. Let the House look at their effect upon crime, and compare the month of June with the month of May in the present year, and they would find the number of cases in June smaller than the number in May by no less than one thousand; and he had the authority of Colonel M'Gregor, at the head of the police in Ireland, for attributing that decrease to the effect of the relief measures; at all events, he was sure that the House would agree with him, that whatever amount of practical evil might result from the necessary interference of the Government on an occasion of unparalleled calamity, it was not to be compared with the absolute dissolution of society which would have taken place if the Government had not interfered at all. He was glad that his right hon. Friend had taken an opportunity, before the close of the Session, of laying before Parliament a collected view of the efforts which had been made to relieve the distress in Ireland; and he was satisfied that the country would think that if the calamity which had befallen Ireland was stupendous, the efforts which Parliament and the Government had made to mitigate it were on the same scale. Looking back at all that occurred, he was not prepared to say that there had not been some evils in the system they had pursued, but that, if it were to be done again, he would not pursue a different course. This, too, he would say, that no other course had been suggested to them by which an equal amount of human life could have been saved under the frightful calamity with which they had been visited. As one charged with a large share of the administration in Ireland during the past eventful year, he joined most heartily in the expression of thankfulness made by his right hon. Friend (the Chancellor of the Exchequer) to the House at large, without distinction of party, for the disinterested support which it had given to Her Majesty's Government under these manifold evils.

MR. CALLAGHAN said, that when the people of Ireland were able to consider more soberly than they had yet been the efforts of the Government, they would be more grateful than they now seemed to be. He could not so much blame them; for, from his experience of the state of society in his part of the country, he was convinced that people of all ranks were maddened by the extent and suddenness of the calamity with which they were visited. He was glad to hear that the appearance of the people generally was now in a better state than his private accounts would bear out; but he was unwilling to disturb the expectations of the House that such was the case, and, therefore, he would take the Chancellor of the Exchequer's statement for granted. He suggested that, by way of provision for a failure of the potato crop this year, depôts should be earlier established, as the suddenness of the last visitation rendered those which were projected nearly useless. He prayed that there might be no failure; but it was as well to be prepared. Rail as some people might about the potato crop, he contended that it was one which suited the people of Ireland; for they got their land usually on credit, and they had time to cultivate it. It gave a larger quantity of food for the labour expended upon it than any other cultivation; but it was contrary to every theory he had heard to condemn a cheap produce because if they were dependent upon a dear one the people would exert themselves more. They were now on the eve of a general election; and when he considered how much depended on its results for good or for evil, he might be permitted to allude to the present condition of the farmer and labourer. He was not bidding for popularity, as he had no intention again to ask for a seat in Parliament; but he must press on the Government the importance of this subject; and whether the Bill brought in on this question by Mr. Sharman Crawford was objectionable, or whether it was not suited to the state of the country, he was convinced that a fair and equitable mode must be adopted to regulate the relations of landlord and tenant. He would assent to a law assimilated to the practice in England, which allowed a tenant a fair valuation for his improvements. He knew a case in which a person under Lord Kenmare was made to pay four times the amount of the original rent, in consequence of improvements made at his own expense, and by his own labour. In conclusion, he wished to remind the House that the landlords of Ireland, who had been blamed for not employing the people, were not able to do so. Their lands were let out to the farmers, and they would not employ one more labourer at the request of the landlords. That was the case nine times out of ten; but even if it were not so, they had not this year the power, as the rents had been withheld, and the prospects of landlords and of owners of property were not better than his hon. Friend the Member for Wicklow had described.

LORD G. BENTINCK said: I can hardly sit still here and not protest against it being supposed that I concur in the statement made by the right hon. Gentleman the Secretary for Ireland, that if all this had to be done again, we should do again precisely the same. I do not concur in the assertion, that if all this relief was to be afforded again, it would be consistent with the dictates of wisdom to spend 9,300,000*l.* in the same way, after the statement of the Chancellor of the Exchequer that he has no expectation of an immediate repayment of any part of it. The Chancellor of the Exchequer has also informed us of the difference between two modes of relief—the one by means of soup-kitchens and cooked food, and the other by relief works; and that, while in one district 45,000 persons called on the Government for support when that support was given by relief works, only one-fourth of that number called on them for support when cooked food was given; and, consequently, one-fourth part only of the latter expense was incurred. 4,900,000*l.* is the sum which has been expended in relief works; so that, after that experience, I frankly confess that I should not be again inclined to make use of relief works, but that I should rather pursue the other plan of relieving the people by means of cooked food. But, Sir, when I bear in mind, that, after the Chancellor of the Exchequer had informed the House that of the 9,300,000*l.* there was but 1,270,000*l.* expended on works of utility, I think that of itself is a sufficient reason for attempting, if the whole were to be done over again, to expend as much as possible on works of utility. It is also worthy of observation that, of all the sums expended, it is only the 620,000*l.* granted for railways of which the Chancellor of the Exchequer informs us that there is not the least possible doubt of its repayment—that that debt is perfectly safe and certain to be repaid. And while I am on this subject, I may remark, that that fact is a triumphant answer to those who charged us on this side of the House with party clamour when we sought to divert more of this large sum of money — now nearly all irrecoverably lost—into this reproductive channel. It did seem that they were anxious that the relief of Ireland should be administered by one single mode—that which did it at the expense of the people of England; and were entirely opposed to any plan which would accomplish the same object, and cost the people of England nothing. There is one other point on which I wish to make a remark and ask a question. On that point alone the Chancellor of the Exchequer was not quite clear. He stated to the House that in the course of last year the Government established thirty-four large depôts. I ask, were there not a hundred and six depôts abolished, or whether they established these thirty-four in addition to those already in existence? I rather think it will turn out that the thirty-four depôts were the only ones allowed to continue in addition to those private depôts which he subsequently mentioned. The right hon. Gentleman spoke of the supply of food as if he had met with opposition on that score from this side of the House. Certainly not. On our side of the House we said that these depôts were not sufficient in the early part of the famine; that the Government was too late in coming forward with a supply of food for the people, because we held that this sudden calamity put the people of Ireland very much in the position of an army sent suddenly into a thinly populated or desert country. If an army were sent into a wilderness, it would best represent the condition the people of Ireland were suddenly placed in by this unexpected calamity, with no provision made by private enterprise to feed them. So far from complaining that the people were supplied by food from the State, our first complaint was, that the Government were not quite quick enough in the supply of those wants for which there was no machinery at the time by private enterprise to provide. And when the right hon. Gentleman congratulates himself on the improved condition and appearance of the country since the Government took the feeding of the people into their own hands more actively, he sets forth the best proof that the suggestions from this side of the House were perfectly correct; and if Government had moved early in the autumn and with more energy, there would not have been that tremendous mortality which I am now glad to find has ceased. It proves too, that leaving the people to help themselves, and to look for their supply from private enterprise in a country where nothing of the sort had ever occurred before, was in a great measure leaving them helpless in their greatest strait. I do not believe that such was the intention; but I do say that it was a great mistake on the part of Government not to have moved with more energy at an earlier period of the famine than they did. Afterwards, in the course of the spring, I have not the same fault to find. I do, however, say, that if they had exerted themselves in October to meet the famine as they did afterwards, we should not have heard of these terrible calamities, and we should have got over the difficulty with a much smaller loss of life.

Lord J. RUSSELL said: The noble Lord has not correctly understood what was said by my right hon. Friend who sits near me. He did not say that he would take the same steps exactly, or act in precisely the same manner as in the past year, but that on the whole we had no cause to regret our past conduct. One of the suggestions alluded to by the noble Lord was made by hon. Members who usually sit on this side of the House, that it was impossible to relieve a famine of this sort, and that any interference would only make matters worse. That was a course we did not think it wise or humane to accede to. Another was, that of the noble Lord opposite; that we should take upon ourselves the whole duty, send our line-of-battle ships to America, and ransack the world for food for the people of Ireland. [Lord G. Bentinck: That was not my suggestion.] The noble Lord did not use the phrase "ransack the world," but he advocated sending our ships of war to America; and he has lately revived that idea. We did not think it wise to adopt that suggestion. We thought that by it a less quantity of food would be imported, and that the people would be worse supplied than if we opened our ports widely and encouraged commerce to undertake that supply. We took the course between the one extreme and the other; and endeavoured by measures, which changed, I confess, from time to time, to enable the people, suddenly left without food, to supply themselves. I will not, after the statements made by my right hon. Friend, recur to those measures. The noble Lord has also referred to his favourite doctrine, that we ought to have looked to works of utility. If we had confined ourselves to reproductive works, it would not have answered. If our object had been to invest money for the purpose of obtaining a good return on works of utility, and improving the general condition of Ireland, there is much to be said in favour of such a policy, and I should be the last person in the world to argue against its general principle; but where every village contained a population who were in want of food, there were not any works of a reproductive character within a reasonable distance which could supply them with immediate food. There were no works, railways, or any other of a useful nature to remedy the evil. And, Sir, the late Government came to the same conclusion as that to which we arrived, that there must be some mode of supplying the people with food adapted to a great calamity, and which did not hold forth an immediate or prospective return. Now I wish to say a word with respect to a remark made by the hon. Member for Cork (Mr. D. Callaghan), especially as I know how great his authority is among his countrymen. The hon. Gentleman spoke highly in favour of cultivating the potato in Ireland, and observed that he did not know what objection could be raised to such cultivation. Now, I confess I think the objections to persons living for the most part on potatoes are obvious and conclusive. In the first place, if you have a people living on wheat, and if wheat becomes scarce and dear, there are other kinds of food to which they can resort, and the man who is earning 10*s.* or 12*s.* a week may be enabled to find sustenance for himself and family; but if he be in the receipt of wages which can only supply him with the lowest description of food, of course it is clear he is unable, unless he gets an increase of wages—which unfortunately is not often the case—to supply himself with any higher description of food. Therefore it is that I object to that food which is of an inferior description, and which, being produceable by a small quantity of labour, is accessible to the poor man as compared with food of a better description, which is acquired by patient and continuous labour, and which brings with it some of the comforts, and what may be called the luxuries, denied to the labourer contented with an inferior kind of food. Another obvious objection to the potato is, that of wheat being a food which can be kept not for one year only, but for a great number of years—as has been proved by the ears grown from the wheat found in Egyptian mummies—whilst the potato is of so very perishable a nature that even in the most successful and fertile years, when September arrives the supply of the former year, even if abundant, cannot be found, and the poor labourer must depend for his subsistence upon the crops of the current year. These are reasons which, in my mind, make it a great misfortune that the food of a people should consist solely of the potato; and, great as may be the sacrifice—great as may be the expense to all classes of the people in making the exchange—I hope that, independently of this sudden disease to which the potato has been subjected, all classes in Ireland who have influence with their countrymen, especially members of the Agricultural Society, noblemen and gentlemen, their agents and the principal farmers, will rather induce the people to turn their attention to the cultivation of other crops, and not continue to regard the potato as their chief subsistence.

Mr. DISRAELI: I am sure if the Chancellor of the Exchequer, in his prolonged and able speech, inadvertently made any observation by which he does not wish to be bound, my noble Friend the Member for Lynn does not wish to pin the right hon. Gentleman to it; but the noble Lord at the head of Her Majesty's Government accuses my noble Friend in ths present instance of misrepresenting the statement of a Cabinet Minister. [Lord J. Russell: No; misunderstanding.] Well, "misunderstanding" the statement of a Cabinet Minister, to the effect that if the Government were again called upon to meet a similar exigency, they would adopt the same policy which they have lately pursued. Now, Sir, I must assure the noble Lord, that having listened most attentively tn his statement, my conviction, and I am sure it is the general conviction of the hon. Gentlemen who sit upon the benches near me is, that the opinion expressed by Her Majesty's Ministers means in effect that, on a general review of what occurred, they would again act in the same manner; therefore, without dwelling further on the point, I must take leave to tell the noble Lord that he was not justified in supposing that there was any mis-statement or misconception on the part of my noble Friend the Member for Lynn. The observation was certainly made, and we are not to submit to the imputation that we have mistaken the expressions of Her Majesty's Ministers, for upon reflection they must admit they were used. I am not one of those, who, when the noble Lord at the head of the Government takes a general review of the proceedings of the Session, and of the policy exercised towards Ireland, would come forward to criticise his conduct too closely; for it may be within the recollection of the House, that I took the earliest opportunity in my power to state that I thought the calamity which Government was called upon to meet, was one of the most extraordinary, remarkable, and indeed I may say unprecedented circumstances which could occur in the history of a country, and that the conduct of Government with respect to it was beyond criticism. Although it is easy in July to moralise on the best means which might have been taken to mitigate and arrest the calamity, I believe the Government, in adopting the measures they did, exhibited great energy and ability, and have entitled themselves to the thanks and confidence of the country. But if subsequent criticisms be made on the conduct of the Government, I think we are fairly justified in recalling to the mind of the noble Lord and his Colleagues the events which have occurred with reference to Ireland, and the policy which has been pursued. The noble Lord at the head of the Government says there were two courses which Her Majesty's Ministers might have adopted. The noble Lord said they might have done nothing: they might have acted on the principles of political economy; but those principles, I am glad to say, for his own sake, and for the sake of the country, the noble Lord has throughout repudiated when dealing with this subject. The noble Lord says that Her Majesty's Ministers might have acted upon that principle, or that they might have followed the line of policy indicated by the statement of my noble Friend the Member for Lynn, in which he urged the employment of the people on works of immediate utility and reproductive character. The Ministers acted according to circumstances, and having done so they say, "We may have been right or we may have been wrong in the way in which we acted, and you must be satisfied." I was prepared not to be dissatisfied; and I repeat that under circumstances of extreme difficulty they acted with an energy and ability that entitled them to the confidence of the country. The question might have remained there as settled. But what has occurred since? Her Majesty's Ministers pursuing that system did not pursue it with unfaltering spirit—they hesitated, reconsidered, and deliberated whether it was not necessary to decide whether a new course ought not to be pursued. My noble Friend the Member for Lynn brought forward his project, and stated his line of policy under circumstances which, it must be admitted, were by no means of an encouraging kind. And what was the gist of his measure? My noble Friend said that the great object of the country should be that in the expenditure of the public money works of a reproductive character should be prosecuted. That was the general policy of my noble Friend, in contradistinction to the policy pursued by Her Majesty's Government. It was in consequence of the Government faltering in their course that the principles upon which the government of Ireland should be conducted, was brought under discussion; and then we who were willing to support the Government if they had continued in that line of policy were quite justified in giving our opinions and support in favour of the general line of policy which at all times and under under every form has been brought before the House and country with so much ability and perseverance by my noble Friend the Member for Lynn. Now, what has been the result? The noble Lord at the head of the Government admits that as far as practical results can guide us, the policy of my noble Friend was correct, and that the only secure and profitable investment is the one made on the principle laid down by my noble Friend. Therefore it is that now, when subsequent discussions have taken place upon the policy of the Government towards Ireland—though I will not shrink from the expression of confidence I gave to the Government, and though if there were a vote on that subject I would not join in a want-of-confidence vote—I feel myself at liberty to state my opinion with respect to the policy of my noble Friend. I think I may be justified in all these succeeding discussions, notwithstanding that general approval of the policy of the Government, to enforce the principles of my noble Friend, and to say that the result of the Session tends in a remarkable degree to confirm the discretion and policy of the views taken by the noble Lord, with respect to the course to be taken by this country in relation to, I hope I may say, the recent crisis in Ireland. Referrring, now, to a minor point, but one of some interest, when the noble Lord at the head of the Government drew a comparison between the two courses of policy proposed to the Government, namely, to employ a navy to import food, or not to import food at all, I must remind him that my noble Friend the Member for Lynn never brought forward the extravagant proposition of employing the Navy to import food to Ireland. I remember my noble Friend did say one night that we had a considerable squadron lying idle in the Tagus—and, by the by, whether that squadron has since been employed in a manner satisfactory to the people of this country is another question—but my noble Friend did not recommend its employment in that service—he said, "You have nine ships in the Tagus. You have the *Albion*, you have the *Queen*, you have the *Hibernia*, and you have the *St. Vincent*, with others whose names I do not recall." Those ships, the tonnage of which amounted to 12,000 tons, were lying idle in the Tagus, and the entire tonnage entered into the ports of Ireland under the recent suspension of the Navigation Laws was only 8,000 tons. It is true my noble Friend recommended you to employ those ships in the transport of provisions; but I ask whether that simple suggestion justifies the noble Lord at the head of the Government in indulging in the surmise that my noble Friend intended to employ the whole naval force of the country in this service? It is very advantageous at the end of the Session, after so many discussions on the state of Ireland have taken place, to be favoured with the elaborate details of the Chancellor of the Exchequer, who has taken this opportunity to vindicate his course, and to make the most modest declaration possible, that the Government, after our six months' experience of their conduct, are satisfied that everything they have done is absolute wisdom; and that, if called upon again, they would retrace their steps with the most elaborate accuracy. And when the noble Lord at the head of the Government gets up to say, "We might have done nothing, or we might have done what the noble Member for Lynn recommended, but we have taken neither one course nor the other, and we have been wise in not following the policy of the noble Lord," I beg to remind the country, that the only part of your policy which you admit has succeeded is that recommended by my noble Friend. And when Her Majesty's Government tell me that they are right on the one hand in doing nothing, and correct on the other in not doing all they might have done, I leave them to the enjoyment of that golden mediocrity of which they are so proud.

MR. LABOUCHERE said, that both the noble Lord and the hon. Gentleman who had just spoken, had attributed to his right hon. Friend an expression that he had in fact never made use of—for it was he (Mr. Labouchere) that had used the expression to which the noble Lord and the hon. Gentleman had alluded. But what he said, he believed, was this, that, looking back to the course pursued by the Government, he retained the opinion he had before expressed, and believed that they could not have taken a very different course; that although partial errors might have been urged against them, they could not have taken a very different course; that he did not think it would have been wise at once to resort to a system of relief by rations; that they found, when they came into office, a system of relief by public works; and that he believed that in the main they had not committed an error in the course they had adopted; but he believed he did not say that they should have again pursued the same course under the same circumstances. He could not agree with the hon. Gentleman, that the result of experience proved that the policy of the noble Lord the Member for Lynn was correct. There were two main points in that policy: the one was an extensive system of railway operations; the other was a complete interference with the provisioning of Ireland. He maintained his opinion, that if those two courses had been adopted by the Government, they would have produced irreparable mischief, and entirely fail in the object of relief. To talk about free trade when millions of the people were starving, and to apply those doctrines to such a state of things, was an error. It was one thing to apply those doctrines when they were really applicable; but it was quite another thing to interfere with the provision trade of the whole country. That set the whole doctrines of free trade at defiance; and did the noble Lord suppose that they would not have suffered for it? He believed that if they had undertaken the provisioning of Ireland by importing food and then distributing it, the result would have been most calamitous; and, to use a phrase he had heard before in that House, "it would have been substituting the watering-pot for the shower." He believed that any such a course would have dried up the resources of trade in the country, and would have been a great calamity.

LORD G. BENTINCK observed, that neither the right hon. Gentleman the Chancellor of the Exchequer nor the noble Lord at the head of the Government had answered his question with respect to the thirty-four depôts. He should be glad to know whether those depôts were opened in addition to the previously existing ones? He adhered to his opinion, that if the 330,000 quarters of grain had been distributed at an earlier period, it would have been very much more beneficial to the people.

The CHANCELLOR OF THE EXCHEQUER said, it was perfectly true that a number of small depôts were open in the course of last year, which were subsequently closed, as it was found more expedient to open others capable of holding the large quantity of provisions to be distributed through the assistance of the relief committees and the local agents. From August last down to the present period, there never was a time in which food was not to be found in the Government stores on the western coasts of Ireland.

Mr. STAFFORD O'BRIEN wished to call attention to the doctrine laid down by the right hon. Gentleman the Secretary for Ireland, namely, that the free-trade principle could not be adhered to under all circumstances. What would the right hon. Gentleman the Member for Manchester, and the hon. Member for Wolverhampton —both members of a society whose great doctrine was that free trade was capable of working well under all circumstances— what would they think of such an assertion? A high authority—an important officer in a free-trade Government—had now admitted that the free-trade principle was not applicable to the present condition of the country, and that Government was obliged to fall back on the protective system. Like a great man who said he would live his life over again, if he could correct in the second edition the errors of the first, the right hon. the Secretary for Ireland fully approved of what had been done in the free-trade direction; but if the Government found the 9th and 10th of Victoria had worked successfully, why did they supersede that Act by the soup kitchens? The right hon. Gentleman took too much credit to himself when he stated that no suggestion was made to the Government as to the course they should pursue, and that they were entitled to all the credit due to any beneficial measures which they had introduced. He had had the honour of pressing upon the Government a system which was received with the greatest attention—he meant the townland system— a system which would give the proprietors and occupiers of the soil a direct interest in its improvement. He believed the Government were actuated by the best possible motives, and that in their desire to serve Ireland they had risked some English popularity.

Mr. P. SCROPE believed the Government would have acted wiser if they had expended the money voted for the relief of the Irish in reproductive works. Except the railway system, the noble Lord (Lord G. Bentinck) opposite could not take credit to himself for suggesting any system of public works of a reproductive character. The Government had, on the contrary, proposed several measures of a reproductive character, but those measures had been dropped. The Waste Lands Improvement Bill and the scheme of arterial drainage promised in the beginning of the Session, had been altogether lost sight of, and 7,000,000*l.* or 8,000,000*l.* of money had been expended without any prospect of an ultimate return. He wished it to be borne in mind by the House and by Her Majesty's Government that such an expenditure could not bear repetition.

Sir R. FERGUSON hoped a statement of what would be the requirements of the two unions in the county of Mayo, which were at present under the charge of the Government, would be laid before the House, and that Parliament would also be informed of how those requirements were to be met.

Resolutions agreed to, and ordered to be reported.

House resumed.

Adjourned at Ten o'clock.

HOUSE OF LORDS,

Wednesday, July 9, 1847.

Minutes.] Public Bills.—2ª House of Commons Costs Taxation; Tithes Commutation; Seduction and Prostitution Suppression; Railways (Ireland, No. 2); Fishery Piers and Harbours (Ireland); Holyhead Harbour.

Received the Royal Assent.—Corn, &c. Importation; Threatening Letters, &c.; Custody of Offenders; Cemeteries Clauses.

Petitions Presented. From Halifax, in favour of the Seduction and Prostitution Suppression Bill.—From Minister and Members of the Presbyterian Congregation of Magilligan, Londonderry, against Railway Travelling on Sundays.—From the Rev. John Frith, Rector of the Parish of Tomregan, Kilmore, complaining of the Operation of the present Law relative to the Commutation of Tithes in Ireland, as injuriously affecting the Income of the Clergy.

THE THIRD REPORT OF THE IRISH RELIEF COMMISSIONERS.

The Earl of RODEN rose, in pursuance of notice, to call the attention of the House to the Third Report of the Commissioners appointed under the Act 10 Victoria, cap. 7, for the relief of distress in Ireland, it having been stated therein—

> "That in some cases the very chairmen of the relief committees, being magistrates, have sanctioned the issue of rations to tenants of their own, of considerable holdings, possessed of live stock, and who, it was found, had paid up their last half year's rent; and that intimidation, a very common cause of abuse, has in some places been openly encouraged by members of the committees:"

And to move a resolution—

> "That copies of all informations connected with these transactions which have been made to the Commissioners, together with the names of the chairmen of committees and justices of the

peace referred to in the report, be laid upon the Table of this House."

He should feel that he was acting with ingratitude and impropriety towards those to whom he owed so much, his fellow-countrymen, the resident landlords of Ireland, from whom he had so frequently received testimonials of friendship and regard, were he to permit a public paper, in which their fair fame was assailed, and their honour impugned, to lie unnoticed upon the Table of the House. That paper was signed by six gentlemen who had been appointed Commissioners by the Crown for the purpose of administering relief under the present difficulties of Ireland; and it contained charges of a most serious, and, if they were true, of a most dishonouring nature, against gentlemen holding high and important stations in Ireland—against gentlemen, some of whom held the commission of the peace under Her Majesty, and others of whom acted in the capacity of chairmen of relief committees. Such were the class of men against whom the charges were directed; but they were not named specifically, nor was any information given in the report which could lead to their identification. He had to solicit their Lordships, in the name of justice and of fair play, to agree to the Motion which he was now about to submit, the object of which was, that copies of all the informations on which the charges of the Commissioners were founded should be laid upon the Table of the House, and with them a list of the names of such chairmen of committees and justices of the peace as were referred to in that document. As long as the charges against the resident landlords of Ireland emanated merely from anonymous writers, or were simply put forth in the columns of newspapers to serve the political ends which the editors had in view, so long he did not feel it to be his duty to take any notice whatever of the calumnies which from day to day were published by the press; but when Commissioners appointed by the Crown took up the same charges, and even went so far as to embody them in the official report which they made to Parliament, he felt that it was wholly out of the question that he should any longer maintain silence. It was to that unjust, unfair, and one-sided report of the Commissioners that he now felt it to be his duty to direct, in a few words, the attention of their Lordships. He did not stand there to deny, for one moment, the facts alleged in the report, so far as they concerned certain individuals to whom those Commissioners referred. He did not mean to deny that there were unhappily in Ireland certain persons who had been guilty of the shameful and most discreditable practices described in the report; but he stood there to implore of their Lordships to do justice to the landlords of Ireland as a class, by acceding to his Motion, and requiring that there should be laid upon the Table of their House a statement of the names of the magistrates and chairmen of committees who had disgraced themselves by such proceedings. The resident gentry and landlords of Ireland had a right to expect ample justice from that House, which was the highest court of justice in the empire; and he, as their representative, respectfully demanded that justice in their name. After the splendid evidences they had given of their sympathy and generosity towards the Irish people, it was unnecessary that he should attempt any detailed description of the unexampled emergency which had befallen Ireland, or of the measures which were taken by the Legislature to mitigate its pressure. The only redeeming or gratifying circumstance in the calamity was the union of purpose and of action to which it gave rise amongst all classes of the gentry. He spoke from personal observation, when he asserted that many amongst the aristocracy and resident gentry of Ireland not only denied themselves the luxuries to which from their position they were entitled, but risked their lives to alleviate the extreme distress of the poor around them, and to administer to their wants. This was true even in the case of the female members of their families. He might also refer to another class of persons who had been equally, and, if possible, more ardent in their zeal and devotedness—he alluded to the Protestant clergy of Ireland, who, in many localities, were the only resident gentry to whom the poor of all denominations, as well Roman Catholics as Protestants, could apply. That class had discharged their duty in a manner which transcended all praise. Whatever they had, they disposed of for the good of the poor, thereby depriving themselves, in many instances, of the common necessaries of life, and reducing themselves and their families to the extremity of becoming partakers of the very provisions which they had intended for distribution. With respect to the Roman Catholic clergy, he could say that he was himself acquainted with one Roman Catholic clergyman who lived near him on his own estate—the Rev. Mr. Hanna—who gave essential assistance, and acted in the most zealous and straightforward manner in his efforts to give effect to the benevolent intentions of the Government. To those who had acted in this disinterested spirit during the season of deepest calamity, the report of the Commissioners was calculated to occasion the greatest pain and distress. The effect of the report had been most painful in Ireland, and had produced what in that country was a truly deplorable calamity, namely, a feeling of distrust and suspicion amongst men who were theretofore living together on terms of amity and union. With a view to show that it had tended to this lamentable result, he would take the liberty of reading some extracts from letters which he had received from gentlemen of the highest station and character in Ireland. [The noble Earl read extracts from letters written by correspondents in the counties of Down, Mayo, and Carlow.] It would be no answer to say that the case of abuse and ill-conduct alluded to in the report were only exceptional cases. He took the whole tone, tenor, and spirit of the report; and contended that the charge was brought against the resident gentry as a class, and that the impression which the document was calculated to produce on an unbiassed mind was, that the cases of good conduct were the exceptional ones. The noble Lord having read certain extracts from the report in support of this position, proceeded to observe on the necessity of Government taking some steps with respect to those who were magistrates or chairmen of committees, and who, notwithstanding, had acted in the disgraceful manner described in the report. Was it to be borne that men who held Her Majesty's commission of the peace, and who were appointed to the responsible office of chairmen of committees—men, moreover, who called themselves gentlemen—was it to be endured that, if they were indeed guilty of the discreditable proceedings attributed to them, no notice should be taken of their conduct, but that it was still to remain a blot upon the country, and a stigma on the name of Irishmen? The Commissioners contended that they were compelled in justice to themselves to make the charges contained in the report; but they ought also to have considered what was due in justice to others, and they ought to have perceived the absolute propriety of giving the particulars, so that the country and the Government might know who it was that they were referring to. He trusted that Her Majesty's Ministers would at least acknowledge the propriety of interfering in the case of the magistrates; for surely the idea was not to be brooked that men who had so tarnished their honour should be entrusted any longer with the administration of justice. He did not mean to cast any blame upon the course which had been taken by Her Majesty's Government. He knew that they had had, throughout the whole of these transactions, a most difficult and painful duty to discharge. These difficulties must undoubtedly have been greatly aggravated by the removal of the nobleman who had been so happily placed at the head of the Government of Ireland. If that nobleman were now alive, he believed the report to which he had drawn their Lordships' attention would never have been seen in that House. In that noble Lord (the Earl of Besborough) they had lost a man attentive to the best interests of Ireland, who knew the character, who knew the objects of the Irish people, and whose affectionate sympathy with all that was connected with the interests of that country endeared him to every one. In bringing forward this Motion, he had been influenced alone by a desire to do what he believed was justice to his country; and he now left it to their Lordships to deal with as they thought best.

The MARQUESS of LANSDOWNE said, he should trespass but a few moments on their Lordships' attention whilst he stated the grounds on which he thought it impossible for him to concur in the Motion made by the noble Earl; and thought also that, in resisting it, he should do no injustice to any individual whatever. That that noble Earl, connected as he was by birth, ancestry, residence, and character with that part of the United Kingdom to which this Motion referred, should feel deeply sensitive at the imputations which he supposed to be cast upon a class of his fellow-countrymen, was not surprising; and particularly that he should be sensitive upon any subject involving the discharge in that part of the United Kingdom of those magisterial duties which the noble Earl had himself long, most honourably, usefully, and disinterestedly discharged, and had seen faithfully discharged by others. It was least of all surprising that the noble Earl should be anxious to vindicate the purity of that important branch of local administration. But admitting that anxiety as natural on the noble Earl's part, he must say that upon the most attentive consideration he had been able to give to this report, he did not think that it required, at all events at present, any Motion of the nature of that with which the noble Earl had concluded. He would go further, and say, that if any persons had made the inquiries imposed upon them by the unfortunate state of Ireland an opportunity of indulging in reflections upon particular individuals, he should be the last to say that those individuals should not have an opportunity of showing that the charges were unfounded. He perceived what he thought was a merit in this report—an anxious desire to avoid not only the mention of any names, but the pointing out of any local circumstances or parts of the country which might lead to the discovery of the names of the persons to whom they referred. All that the Commissioners had done, without attaching importance to particular expressions employed by them, was to discharge the substantial duty which he considered devolved upon all Commissions entrusted with the business of inquiry. What was the duty to be performed, or the advantage attending these Commissions? They were appointed to carry into effect an important measure, recently passed under circumstances of great difficulty by Parliament. They were called upon, in carrying that measure into effect, and pending the course of those transactions in which they were engaged with that view, to report from time to time to Her Majesty's Government and Parliament what were the difficulties they had met with, what was the progress they had made, what, in short, was the amount of success or failure attending such measure, and to point out to what causes that failure, if any there had been, was owing. This was precisely what those Commissioners had done; they had not, as the noble Earl and his Colleagues had been incorrectly informed, thrown any general stigma or pronounced any general censure on the conduct of any portion of the gentry or middle classes of that country. They stated that although the relief-work undertakings might, if carried into effect with perfect honesty of purpose to the public, have completely answered the object for which they were intended, yet that in very many districts, not in all, abuses, considerable in degree and character, had arisen. He (the Marquess of Lansdowne) should fairly state that he should have expected those difficulties to arise, not merely in Ireland alone, but in England or any other country in which circumstances arose requiring the application of a measure entirely new, and which was not provided with sufficient machinery to carry it into effect universally and efficaciously. Under these circumstances it was to be expected that, partially at least, that degree of effectual co-operation would have been found wanting which was necessary to give due effect to this measure. The Commissioners declared that in other respects this measure had had wonderful success where it had ensured the requisite co-operation. In the very paragraph next to that which had been quoted by the noble Earl, they stated that the finance commissioners, who were composed of two or three gentlemen of each union, had, with very rare exceptions, acted with zeal and discretion. Was not this a ready and willing admission on the part of the Commissioners of Inquiry, that the most important trust which could be confided to any one—that of the pecuniary funds—had been satisfactorily discharged? The noble Earl had read a statement to the effect that in the electoral districts which were small, it was impossible to provide a trustworthy local administration. This was a fact not to be wondered at, least of all to be made the ground of any general imputations against a country, that in those small districts such a system could not be organized. He thought the Commissioners were bound to state this. He did not understand the noble Earl to say that they ought not to have made this matter of observation; but he understood the noble Earl to say, that he thought it would be desirable to annex to that statement the names of the parties concerned. Now he thought that, in withholding the names of the parties, the Commissioners had exercised a sound discretion. He thought that when a Commission was called generally to report upon the working of any important measure, they were not called upon, because they had not received from individuals the co-operation they had desired, to state the cases in which it had been refused. He would suppose a Commission issued to inquire into the smuggling carried on upon the coast, he need not say where, but it might be of Kent or Sussex, which had formerly been liable to such imputations. Could the Commissioners be called upon to name the squire's daughter or the parson's wife, who, in order to procure a better dress from abroad, were suspected of underhand dealings against the law with the smugglers? The Commissioners had done rightly in stating the obstructions they met with; but they were not entitled on that account to hold up individuals to obloquy, which could have been attended with no possible benefit. He was bound to state that, speaking generally of the gentry of Ireland, and also of the clergy of Ireland, not only in reference to this particular measure, but to their general conduct, and to the great calamity which the Almighty had permitted to visit that land, they had acted—he would not say in very many instances, but he believed he might say in most instances—with a degree of disinterestedness and self-devotion, the opportunity of which occurred from the very nature of that distress, in districts which were unfortunately the most deprived of the means of exerting charity. He knew that there had been persons who out of their diminished incomes had devoted large portions to the poor, and devoted—what was still more valuable—their personal exertions and industry—and, above all, as the noble Lord well knew, the hazard of their lives themselves, which in many instances had fallen the sacrifice. They should be ready, therefore, in Parliament or out of it, tō recognise the great debt of gratitude which not only Ireland but England owed to those numerous and meritorious classes of individuals, whose names he trusted would remain when this scene of distress was closed, as those of persons devoted to the relief of suffering. No doubt there had been exceptions; for this was a new system, imposed upon the country by the necessity of circumstances: those circumstances had made of that country a school of exertion for individuals, and his noble Friend knew that in every school there were some who would behave properly, and others improperly. He, therefore, did not feel that it would be possible with justice now to lay on the Table the names of the persons whose conduct was alluded to in the report, or that any public advantage would result from instituting any inquiry into the particular cases. He might state, if it were any satisfaction to the noble Earl, that instructions had been sent to the Government of Ireland, in all cases where magistrates or persons holding responsible situations had been implicated by these supposed charges, to make them acquainted with the fact of the charges having been brought, that they might have an opportunity, without their names' being held up to observation, of communicating with the Government as they might deem advisable. There was every prospect that the ends of truth would be more effectually forwarded by that proceeding than by any other; and, believing that to institute inquiries with no prospect of being able to bring them to a satisfactory conclusion would be attended with no advantage, he must oppose the Motion, whilst he did the fullest justice to the motives which had induced the noble Lord to bring it forward. He was convinced that the jealousy evinced by the noble Lord on this subject, was only a proof of the soundness and goodness of his zeal on subjects concerning that part of the United Kingdom with which he was connected.

Lord BROUGHAM said, that he thanked his noble Friend for having brought forward the subject, but at the same time thought it would not be judicious to act upon the Motion. His opinion was that this report should not have been laid before Parliament at all in the shape it at present assumed. It would have been better to have given the report in the first instance with the names, but not to have made it public. He wished to ask his noble Friend opposite (the Marquess of Lansdowne) whether the magistrates who were said to be implicated in these charges would not be asked to account fully for their conduct; whether those persons who, in page 4 of the report, were stated to have acted with fraudulent intention—it was clearly nothing short of that—whether those persons who had been guilty of so scandalous a breach of duty as putting their own servants, and labourers, and other tenants possessed of property, and who had paid up their rent to the last quarter, on the relief list; whether those magistrates should be left for a single hour in the commission of the peace for Ireland? He did not ask for their names; he had rather not know them. Such knowledge would only give him the pain of despising his fellow-creatures, which was at all times a disagreeable feeling, though sometimes inevitable. But surely those men should not remain in the commission of the peace if they were not able most thoroughly to vindicate themselves. It would not do for them—as two Members of Parliament had done—solemnly to deny the charge. That would not do. If they could furnish no better evidence than that, he would remove them at once. Members of those Committees, who were not only magistrates, but, in some instances at least, Members of Parliament, were charged with intimidation, with acts of violence, and with stirring up riot against the Government officer for discharging his duty. This had been denied by them in the other House; and Government having inquired, were not satisfied with the denial. Surely such matters should be inquired thoroughly into, that the commission of the peace in Ireland might not be degraded and disgraced.

EARL FITZWILLIAM agreed with his noble and learned Friend, that, if it had been possible, it would have been better that this report should not have seen the light; but as it had been published, he thought that the feeling of the House would be in favour of the withdrawal of the present Motion. He could not help fearing that one of the evils which might arise from the publication of the report would be, that it would excite in the minds of persons in this country an indisposition to take a just view of the calamities to which Ireland had been exposed, and to continue the assistance which had been afforded to the Irish people. There were in the report some expressions which he thought it would have been better to suppress; but there was one paragraph which, in a condensed form, contained the pith of those objections which were made by many Members of that House against the introduction and passing of the Irish Poor Law Bill—he referred to the passage in which the Commissioners described the utter incapacity of many parts of Ireland to bear the operation of such a law. During the present Session they had passed the Irish Poor Law; they had empowered a loan of 1,500,000*l.* to the landed proprietors of Ireland for the improvement of their lands; and they had passed through that House, by acclamation, a Bill empowering the sale of encumbered estates. He understood, however, that some little hitch had occurred in the other House with regard to the further progress of the last measure.

LORD BROUGHAM: It is withdrawn.

EARL FITZWILLIAM: Withdrawn! Why, all the measures of the Government were withdrawn. The Railways Bill had been withdrawn; the Health of Towns Bill had been postponed to another Session; and now he understood the Bill which was considered the great lion of the Session was also withdrawn. Why had this measure been withdrawn? It had not been withdrawn in consequence of any remonstrances from the gentry of Ireland against the Bill. It was true the Irish landlords had remonstrated against the measure, because the English mortgagees made a previous remonstrance; and they felt that, entangled as they were with the English mortgagees, it was their duty to pray that the Bill might not pass. This opposition did not arise, however, from any indisposition of the Irish landlords to consent to the Bill, but from the opposition of the English mortgagees. Although he entirely approved of the measure, he must say that he did not think any great benefit would have resulted from it. It was impossible to avoid indulging some little curiosity as to what might be the designs of Her Majesty's Ministers with regard to Ireland, and as to the mode in which they intended to follow out the measures which had been resorted to during the present Session. He (Earl Fitzwilliam) wished to ask the Government whether they were contented with those measures? He was convinced that only one answer could be given to that question by his noble Friend (the Marquess of Lansdowne). What was the present condition of Ireland? It appeared, from the official returns, that on the 5th of June there were 2,622,263 persons receiving gratuitous relief in Ireland; and that, on that day, 1,900,000 rations were issued. He (Earl Fitzwilliam) would ask, whether Her Majesty's Ministers, whether that House, or whether the people of England intended that such a state of things should be allowed to continue? The cost of the rations was $2\frac{1}{2}$*d.* each, and, therefore, the daily value of the rations supplied at this time was 20,035*l.*, amounting to a sum of 7,313,775*l.* a year. Now, he would ask Her Majesty's Ministers if they meant to continue this system, and whether they believed that the continuance of such a system was consistent with the existence of social order in Ireland? At least one-third of the population of Ireland was maintained by gratuitous charity, at a cost amounting to more than half the rental of the country. He would ask their Lordships what they thought would be the condition of any English county, if the maintenance of the poor cost half the rental of the county? What would be the state of Northamptonshire, a county with which he (Earl Fitzwilliam) was connected, if the poor-rate amounted to upwards of half a million a year? The utmost pressure of the poor-rate in Sussex—a county in which the poor-law had been worse administered than in any other English county; and in which, consequently, the pressure of poor-rates had been most severe —had never exceeded between 300,000*l.* and 400,000*l.* in any one year; and this was much less than the present expenditure for any county in Ireland. He thought this was a subject which deserved the serious consideration of Her Majesty's Ministers. Unless the Government took some of the people of Ireland from the poor-rates, the country would fall into a state of complete social disorganization: 70,000 persons could not immigrate into England without bringing down the rate of wages in this country; and England would find that if she did not pull Ireland up, Ireland would pull her down. He approved of the measure brought forward by a noble Lord in the other House (Lord G. Bentinck) with respect to advances to Irish railways, although he did not approve of the Bill by which the noble Lord proposed to effect that object. Ireland wanted capital; but if English capital went to Ireland, it must be through the medium of the Government, and she required, too, a large outlay. He had no doubt that the money, if judiciously expended, would be profitable to England. In his opinion the approaching harvest would do very little to diminish the misery of Ireland. From the accounts he had received, he believed that not more than one-fifth of the ordinary breadth of potatoes had been planted this year, and he would add, that he was exceedingly glad to hear it. But, although he should be glad to see the people consuming a more generous diet, he must remind their Lordships, that if the growth of the potato were restricted in Ireland, the means of feeding the people would also be very much restricted. He very much doubted whether the produce of the next harvest would feed more than two-thirds of the population. The rest of the people must be maintained; but what had Ireland to give in return for the food which she must import? If the people were to be kept alive, they must be maintained by some one—and by whom? He would say, that if the resources of Ireland were not sufficient, the resources of England must be devoted to that purpose, unless the Government wished the people to die by hundreds of thousands. Well, if, as he hoped, the Government intended to maintain the people of Ireland, if necessary, no doubt they would acknowledge their intention. He hoped they would not conceal their intentions from the people of England at the hustings, and then come down to Parliament after the elections, and say that the people of Ireland must be fed out of the resources of England. A Bill for the recovery of the public money advanced to Ireland was before their Lordships; but when they came to open it they found that it was a Bill to abandon half of this money; and whether the other half would ever be recovered was a matter of some little doubt. England must be told fairly that she must bear the burden of this great calamity. She had never been told that fairly. She had not understood the extent of the calamity, and its results and remote consequences. It was a calamity so unheard of in the history of the world, that people could not raise up their minds to the contemplation of it. He would tell the Government that a small and niggardly outlay would do no good. Ireland had not herself the means of borrowing the capital she required. He expressed no opinion respecting the question of an independent Legislature for that country; but if Ireland had an independent Parliament, she would have had the means of borrowing money after such a calamity as had recently befallen her. England had deprived Ireland of the power of acting as a community, and she would not act as a community for her. There was a great opening for public works in Ireland, but not for such public works as had been entered upon lately. Public works of a more useful character might be begun, which, combined with a judicious system of emigration, would counteract the effect of that tendency to surplus population which would be more felt as the means of subsistence derived from the potato failed. But, to carry out such public works or system of emigration effectually, there must be a co-operation on the part of the landed proprietors of Ireland, as it was not fair to expect the Imperial Legislature to find the whole of the funds. In any system of emigration, no half measures would be of use; and he was quite satisfied, that if Ministers, in the next Parliament, did not take a course very different from what they had hitherto taken towards Ireland, they would not earn honour in their administration. It was true, the last year had presented a great emergency; but great emergencies were great opportunities, and he hoped Her Majesty's Government in their future legislation for Ireland would profit by those opportunities.

Lord **MONTEAGLE** contended, that the public ought to know who the parties were who ought to be charged with the offences detailed in this report; because they belonged to the class to whom the administration of the Poor Law was about to be entrusted. He feared that the very principle of the system rendered such abuses as were complained of inevitable; and he had prophesied the result when by the Bill 2,000 districts were created in Ireland of different sizes and rentals, and the same system was applied to the whole. But, further, in the Bill which their Lordships passed, there was introduced a provision regulating the parties by whom the functions were to be administered, and specifying certain classes by name. Their Lordships were told that the parties specified by their class would not give an adequate machinery for carrying the measure into operation; and so it had turned out. In one electoral division in Connaught, persons were placed on the committee who could neither read nor write. He would ask, whether such persons were likely to exercise the powers with which they were entrusted, discreetly? The abuses referred to were no more chargeable upon the landed gentry of Ireland, than upon their Lordships' House. He must say, that while he admitted there had been a lavish expenditure—he did not say on the part of England; for he denied that it was so—it was the expenditure of the United Empire, to which Ireland had contributed her share, even under the present calamity, without any diminution of her public revenue—he must say, that while he did not complain of the niggardliness of the expenditure, he did complain of the wisdom which had been exercised in dispensing it. He thought that a much less sum given with a more kindly feeling, and in a more confiding spirit, would have done more good than all they had given; which, having been expended with reluctance, with regret, and with more than unconcern, had proved a source of bitter feeling, where it ought to have yielded only satisfaction. He maintained, that if any magistrate could be proved to have been directly or indirectly guilty of the offences which had been charged against their class in the report of the Commissioners, he ought not to be allowed to remain for a single hour in the commission of the peace. The Legislature had added these men as *ex-officio* members of the board of guardians; and it behoved them, if they wished to have the Poor Law properly administered, to take care that every one of these *ex-officio* guardians to whom the delinquencies in question should be brought home, was dismissed from the bench of justices. He concluded by thanking the noble Lord for bringing forward this Motion.

The Earl of **RODEN** believed that great benefit would arise from what had been stated in the House that night. He felt thankful to the noble Lord the President of the Council for the course he had taken, and to the other noble Lords who had spoken on the present occasion; and he should therefore feel it to be his duty to follow the suggestion which had been made to him, and ask the permission of the House to withdraw the Motion.

Motion, by leave, withdrawn.

House adjourned.

HOUSE OF COMMONS,

Friday, July 9, 1847.

Minutes.] Public Bills.—1° Trustees Relief; Destitute Persons (Ireland, No. 3); Public Works and Drainage (Ireland); Fever Hospitals; Right of Voting.

Reported.—Compensation for Damages; Polling at Elections (Ireland).

3° and passed:—Masters in Chancery Affidavit Office; Naturalisation of Aliens.

Petitions Presented. By Mr. G. Hamilton, from the Rev. John Frith, Rector of Tomregan, Kilmore, for Alteration of the Law in relation to Tithe Rent Charge (Ireland); and from Attorneys and Solicitors of Ireland, for Alteration of Protection of Purchasers (Ireland) Act. By Mr. S. O'Brien, from Samuel Dickson, Esq., of Limerick, for Protection to Public Works (Ireland).—By Sir De L. Evans, from Southampton, Gosport, Portsmouth, and Portsea, for Consideration of the Case of Henry Needham Scrope Shrapnel.—By Mr. W. Miles, from Farmers and Graziers attending at Bristol Market, against the Removal of Smithfield Market.—By Mr. Grogan, from Spirit Grocers of Dublin, for Inquiry.

THE WELLINGTON STATUE.

Lord **JOHN RUSSELL** said: In rising to move the Order of the Day for a Committee of Supply, I wish to call the attention of the House to a particular notice which stands on the Paper for to-night. It refers to the Statue on the arch at Constitution-hill. The noble Lord the Member for Lynn, some time since, asked me a question on the subject; but since that question was put, and the statement made as to the feelings of the Duke of Wellington on the subject of the Statue remaining on the arch or not, I have had no direct and positive information on the subject. I now rise to ask the noble Lord to postpone the Motion of which he has given notice until Monday; and of course the Government will postpone the vote for the pedestal until that day. I do so on this ground: I have had no communication respecting the feelings of the Duke of Wellington on the subject since a communication was made to me by a gentleman whose name I will now mention—I mean Mr. Croker, who called upon me in Downing-street. Since then a determination was taken, and the desire of Her Majesty has been expressed as to the erection of an appropriate pedestal for the Statue; and since that time I have not received any authorized intimation as to the feelings of the Duke of Wellington on the subject. Her Majesty, however, has expressed a wish that nothing should be done which could in any way be painful to the feelings, or which could be considered in any way disrespectful to the Duke of Wellington. I wish, then, that the noble Lord would allow me to obtain in some authorized way a knowledge of what are the feelings of the Duke of Wellington; and if it is his wish that the Statue should not be placed on the pedestal which has been proposed, I shall not propose the vote for that purpose in the Committee of Supply; and I am also authorized to state, that if such should be the case, Her Majesty will readily consent to the Statue remaining where it is.

Lord G. BENTINCK: I have not a word to say, after what has fallen from the noble Lord, beyond expressing my consent to the proposal. I am perfectly aware what the feelings of the illustrious man in question would be at the removal of the Statue from the arch. Without raising any discussion on the matter, which now would be very painful, I will only add, that the memorial to the Duke of Wellington will now, I am sure, remain on the arch, with the consent of Her Majesty, and with the approbation of the people.

Sir F. TRENCH said, that he was prepared to give the noble Lord the opinion of the Duke of Wellington on the matter.

Lord JOHN RUSSELL: It would be better to permit me to communicate with the Duke of Wellington.

Sir F. TRENCH had in his possession a letter which would show what were the feelings of the Duke of Wellington respecting the removal of the Statue. This letter had been written since the noble Lord stated, in rather a sneering manner, that if any one wished to ascertain what were the feelings of the Duke of Wellington, it would be easy to communicate with the noble Duke on the subject.

MR. SPOONER AND MR. HUME.

Mr. SPOONER trusted the House would extend to him that indulgence which it was usual to give when a Member brought forward a matter of a personal character. He would simply state the facts of the case; and when he had done so, he would leave it to the House to say what line of conduct he should follow. On Tuesday last, in conformity with the judgment which he usually exercised in questions before the House, he came to the conclusion to vote against the Motion of the hon. Member for Montrose on the subject of the Rajah of Sattara. He happened on the following day to be sitting next the hon. Member for Dorsetshire, who heard all that passed—and if he stated that which was incorrect, the hon. Member would correct him, or supply any deficiency in the statement—when the hon. Member for Montrose came across the House, and said, in a very excited manner, "So you voted against me last night." He (Mr. Spooner) replied, "I certainly did." The hon. Member immediately added, "I shall bring the conduct of your son before the House on Tuesday, as well as that of Mr. Hutt, the relation of the hon. Member for Gateshead, who also voted against me." The hon. Member added, "I will bring the whole matter before the House; and I can prove, that not more than thirteen independent Members voted in the majority." That was a plain statement of the facts of the case. He (Mr. Spooner) immediately said, "If you have any charge to bring against my son, I hope, as a matter of courtesy, you will let me know what it is, so that I may form an opinion of it, or take steps to meet it." The reply of the hon. Member was, "Look at this book," holding up a blue book, "there is plenty of evidence here." Now, he did not know then what line of conduct to take. He had taken time to consider what course to take; and he had consulted several hon. Members of greater experience than himself, and they were of the same opinion as himself, namely, that he could not let the matter rest, but that he must state the matter to the House; and having now stated it, he should leave the House to pass its opinion and judgment on the matter. He was of opinion, that if it was not a breach of privilege, it approached very nearly to it, as it implied a threat against a Member for pursuing a particular line of conduct. If this were to be allowed, it would imperil the independence of Members, and the privilege of voting according to the dictates of their consciences. Feeling this, he had made up his mind not to keep the case from the knowledge of the House. As to any charge against his son, if the hon. Member thought fit to prefer it, he hoped that he would do so with due notice, so that proper time would be given to those who had a regard for the character of his son, so that they might be prepared to defend it. He would call the attention of the House, however, to a very curious circumstance connected with this case. Whatever charge the hon. Member was prepared to bring forward against his son, must have been known to the hon. Member for more than two years, during which time he had said nothing about it. The whole conduct of his son and his proceedings were fully described in the book which had been on the Table of the House for upwards of two years. It was, therefore, a most extraordinary proceeding on the part of the hon. Member, first, to make a communication to him that he had a charge to bring against his son, in the morning after he had felt it to be his duty to vote against the hon. Member. But the hon. Member not only did this, but he then made a rejoinder by saying, "This matter has regard not only to yourself, but to Mr. Hutt, the Member for Gateshead." His hon. Friend the Member for Gateshead had had no intimation whatever from the hon. Member for Montrose on the subject, until he (Mr. Spooner) had mentioned it to him. These were curious circumstances, and he had stated them as calmly and coolly as he could. He had one remark more to make. If the House should think fit to hear now, or at any future time, the reasons which induced him to give the vote which he did the other night, he was perfectly ready to state them. He gave merely a silent vote on that occasion, and had abstained from addressing the House, as he had no information to communicate on the subject. He would not answer any hon. Gentleman who questioned him in the offensive way which the hon. Member for Montrose did. He felt that there was something more than a personal consideration in this proceeding on the part of the hon. Member; and with these observations he should leave the matter to the House.

MR. HUME must acknowledge that this was the most extraordinary proceeding he had ever heard of during the whole period of his being a Member of that House. Yesterday afternoon, at five o'clock, while at his own house, he received a note from the hon. Member for Birmingham, requesting him to be at the House at four o'clock, as he had a serious charge to bring against him. He could not by any possibility tell what the hon. Member alluded to. He thought that the hon. Member must have supposed that he had committed some violation of his Seduction Act, and wished in consequence to bring him to the bar of the House; but now he understood the accusation, he would ask whether any individual up to the present period had ever brought a charge against a Member of that House for having privately spoken to hon. Members on a subject which was to be brought forward in the following week? The hon. Member should have been obliged to him for having casually mentioned the matter to him, if the hon. Member had any interest in the subject which he (Mr. Hume) stated he should bring forward. The hon. Member for Dorsetshire, he believed, was present at the conversation. He was passing on the opposite side of the House, by the side of the Table, and the hon. Member for Birmingham (Mr. Spooner) was sitting there. What he had said to the hon. Member for Birmingham was, "I see you voted against me last night;" he said, "I did." "Have you seen the result of the numbers?"—"No." "Then I can tell you, that out of the numbers who voted against me, twenty-eight belonged to the late and present Government, and to the East India House; and you and Mr. Hutt, whose relatives were involved in the early part of the proceedings, should not have voted under such influence; therefore only fourteen independent Members really voted against the Motion. I, therefore, put the fourteen independent Members against my twenty-three supporters, and I consider that the division was in my favour." He referred to the Mr. Spooner mentioned in the blue book; and the hon. Member for Birmingham said, "He is my son." He (Mr. Hume) then said, "On Tuesday next I will give the House an opportunity of reconsidering this question; and I will then refer to this division, and show that only fourteen independent Members voted against me." That was all that had taken place;

and a more gratuitous appeal to the House than that of the hon. Member for Birmingham he had never known. It would be his duty on Tuesday next to show that both the hon. Member for Birmingham and the hon. Member for Gateshead had been influenced by external circumstances; their near relatives being acting magistrates in the earlier history of these circumstances — the one being the magistrate before whom the robber was brought on whose body were found the papers connected with the Goa conspiracy; and the other the magistrate who imprisoned Govind Rao, the principal Minister of the late Rajah, and obtained a confession from him against the Rajah, and who afterwards stated that it was obtained under constraint and threats, and that it was without foundation. He did not mean to impugn their characters as magistrates, because he could show that they had acted under instructions from head-quarters. This was the whole extent of the proceeding. The hon. Member had charged him with a breach of privilege; he though he could better charge the hon. Member with a breach of confidence in thus bringing before the House private conversation. He thought that the hon. Member, rather than himself, had to answer for a breach of privilege. He should be sorry to see the day when hon. Members could not talk to each other on further proceedings to take place in that House. The hon. Member had not on that occasion acted with his usual good sense in bringing the matter forward; and now his explanation showed that the hon. Gentleman was altogether mistaken.

Mr. HUTT said, that the hon. Member for Montrose was a most ungenerous man; for instead of being obliged to himself and other hon. Gentlemen for endeavouring to check him in his blunders, he flew into a state of excitement, and turned round and charged them with baseness and dishonesty. He would not charge the hon. Member with either baseness or dishonesty, for he believed he was incapable of either; but at the same time he must say that he thought that the conduct of the hon. Member did not always manifest absolute wisdom, nor was his language and demeanour on all occasions characterized by great delicacy and politeness; therefore, when the hon. Member indulged in the liberty of casting imputations on his (Mr. Hutt's) conduct, or aspersing his relatives, it did not excite his feelings in the slightest degree. He believed his character would be a sufficient shield against any calumnies the hon. Member might bring against him; and whether now or hereafter, he should listen to them with perfect cheerfulness, and perhaps rather like them than otherwise. So far for the matter as far as regarded himself; but as the hon. Member had referred to an immediate relative of his, who had no opportunity of answering for himself, he would, on behalf of that gentleman, give a bare statement of the facts of the case. The hon. Gentleman had in that House and in another place charged his relative with immuring Govind Rao, the Minister of the Rajah of Sattara, in a dark dungeon; so that he was compelled to make a statement against the Rajah, being at the time under the menace of death if he did not. Now, what foundation was there for that false and foolish story? In consequence of what had been stated by the hon. Member, his relative had put him in possession of full information on the subject. It appeared, then, when Govind Rao had been moved from Poonah, and placed in prison, Mr. Hutt proceeded immediately to release him from gaol, and had him placed in one of the principal houses in the town, and had his comforts carefully attended to. The Minister of the late Rajah wished to make a private communication to him respecting the Rajah; but he was informed before doing so, that such communication would be forwarded to the Government of Bombay. Nothing more then occurred; but some time afterwards, Govind Rao came to Mr. Hutt's house, and, in the presence of an attendant, made a full confession of all the circumstances of the conspiracy, but which he afterwards wished to retract, stating that it had been extorted from him while confined in a dungeon. The confession of this Minister had been made voluntarily; but he afterwards retracted the whole of it; and the hon. Member for Montrose believed the retractation, and no part of the original statement. If the hon. Member thought Mr. Hutt was capable of the conduct imputed to him, it was the hon. Member's duty to bring it before the House; if he did not believe it, he ought not to have made any such allusion to it.

Mr. BANKES wished, as his name had been mentioned, to make one or two observations. He begged, in the first place, distinctly to repudiate the notion which the hon. Member for Montrose seemed to entertain, that there had been any confidence or privacy in the matter. He had been an unwilling listener to the conversation between the hon. Gentlemen; but he could not avoid hearing what was said. The hon. Member for Montrose seemed to him to have purposely come over to that side of the House to make the attack, and certainly it had been made in a very strong manner. He (Mr. Bankes) said to the hon. Member for Montrose something to the effect, "Do you mean this as a joke?" and the answer was, "It is no jest, and I will bring the matter before the House." That appeared to him to have been a threat to his hon. Friend, and an imputation on the honesty of the votes given by two hon. Members of that House. He hoped the House would believe that he had not been a party to bringing this matter before it. He was very well aware that the character of his hon. Friend the Member for Birmingham was such as to need no vindication. Having, however, been applied to for confirmation of the statement of his hon. Friend, he could have had no objection to offering his testimony. He was bound to say, that it had been a very offensive attack, and undoubtedly not attended by much privacy, for the hon. Member for Montrose spoke very loud, and he (Mr. Bankes) was probably not the only person who heard the remark. The hon. Member for Montrose had even gone so far as to say, that out of the majority of forty, thirteen gentlemen only gave honest or independent votes.

Mr. B. OSBORNE thought the House would agree with him that the matter was of great importance. He thought the House ought not to let the matter stand in its present serious aspect; and he did hope that the Speaker would call on the hon. Gentlemen to give the assurance, on their honour, that they would not carry the matter any further. [*Much laughter.*]

Sir R. H. INGLIS did not think the subject was treated in a proper manner. The hon. Member for Montrose attempted, not perhaps unassisted, to raise a laugh at the commencement of his address; and another hon. Member had with more success now afforded amusement to the House. The hon. Member for Montrose must have known that Mr. Spooner in India and the Mr. Hutt in India were, or that they were not, guilty of the charges urged against them in connexion with the Rajah of Sattara. If they were guilty, he ought to have included them in the number of those whom he mentioned on a former evening; if they were not guilty, he ought not to have availed himself of the vote—doubtless an honest and conscientious vote—of the hon. Gentlemen who bore the same names to threaten that he would bring the conduct of the parties before the House. He (Sir R. Inglis) was not aware if there had been any answer given to the charges; but certainly the hon. Member for Montrose did or did not know their guilt. If he knew they were guilty, the subject should have been brought forward in the first instance; and if he knew they were not guilty, he ought not to have availed himself of the casual votes of two hon. Members, relatives of the accused, to impute that they had not acted from the influence of an independent and unbiassed judgment. Such conduct was not creditable to the hon. Member himself, and did not tend very greatly to insuring independent action in that House.

Lord J. RUSSELL was of the same opinion on a question of this kind as the hon. Baronet who had just addressed the House. To speak to Members, after they had voted, giving that vote as honestly and conscientiously as any other hon. Member, and to impute that their votes had been given in consequence of their connexion and relationship with the persons implicated in the question, was, he thought, an unbecoming proceeding; and had it been done by anybody else, he should have looked upon it as an attempt to intimidate. He hoped that the hon. Member for Montrose had not intended that his words should be open to that construction. He had long been acquainted with the language customarily used by the hon. Member; and, whether it arose from some original confusion of mind, or from a want of familiarity with the exact force of the English language, the hon. Member unquestionably did throw out imputations and apply terms, in describing the conduct of others, which from any other hon. Gentleman would give offence, but which he had heard repeated by the hon. Member without causing surprise, or occasioning anger. The hon. Member, then, being a sort of chartered libertine in this respect in the House, he hoped that the hon. Gentleman opposite and his hon. Friend (Mr. Hutt) behind him, were satisfied that they and their relations were entirely cleared on the subject; and that there was not one person of importance, either in the House or out of the House, who would pay attention to the charges preferred by the hon. Member for Montrose.

Mr. AGLIONBY had witnessed as much as any man, from having paid constant attention to the business of the House, the conduct and manner of his hon. Friend the Member for Montrose; and, although he was quite ready to agree in the jocular remark of the noble Lord, that his hon. Friend had a sort of chartered liberty, he yet trusted that that chartered liberty arose from different circumstances than those attributed by the noble Lord. [Mr. Hume: "Chartered libertine" were the words.] He admitted his mistake; and though the noble Lord said that the hon. Member for Montrose occasionally used expressions which were not offensive in him, though in others they would be, he (Mr. Aglionby) ventured, in reply to the noble Lord, to observe, that if his hon. Friend did use expressions hastily, or expressions which other hon. Gentlemen were not in the habit of using, he was fully privileged to use them by his constant good humour, and by the anxiety he had shown every year he (Mr. Aglionby) had been with him in the House to favour any one in any matter of advice which his experience qualified him to give. He (Mr. Aglionby) therefore believed that no expression of his could or would give offence to any individual at all acquainted with him; and, above that, he would say that the past services of his hon. Friend entitled him to some indulgence. Though he had no right to complain of the remarks of the hon. Member for Birmingham, notwithstanding it seemed to him that the matter was felt with unnecessary acuteness, he trusted that the hon. Gentleman would not think that any reflection was intended to be cast upon himself or upon any other hon. Member. The observations of the noble Lord, in reference to his hon. Friend, were unduly severe; but, because his hon. Friend had not intended to use offensive words, and because of the debt which the public owed him, and which entitled him to the mildest interpretation of his expressions, it was to be hoped that nothing more would be said.

Mr. HUME said, that on a former evening a Member of Her Majesty's Cabinet thought proper to call him a thief, or, what was the same thing, the receiver of stolen goods, not to mention a variety of other epithets; but these words having been applied by the right hon. Gentleman (Sir J. Hobhouse) in the warmth of debate, the House would recollect that he (Mr. Hume) had not taken the slightest notice of the accusation. When, however, the First Lord of the Treasury, in that calm, premeditated manner just observed, told him that he had not learned his own language, and that, consequently, he was utterly unable to weigh the force of what he said, he felt himself compelled merely to remark that he did not know on what ground the noble Lord considered himself justified in making use of such expressions. Under other circumstances, he should probably have looked upon it as a very good joke; but for the noble Lord to come forward as he had done, was, he thought, altogether unworthy and unbecoming. He had no more to say. His conduct had always been, when violent language was resorted to against him, to pass it unnoticed, as the ebullition of temporary anger; but on this occasion he saw no excuse for the attack of the noble Lord.

[The conversation at an end. A few moments afterwards, Mr. Hume crossed the floor to Mr. Spooner, and as, after some conversation, the hon. Gentlemen were seen to smile, the laughter, which had not quite subsided, again broke forth, and the Members concerned joined heartily.]

THIRD REPORT OF THE RELIEF COMMISSIONERS (IRELAND).

On the Question that the Speaker do leave the Chair, to go into a Committee of Supply,

Sir D. NORREYS rose to make the Motion of which he had given notice. The report of the Commissioners imputed to the great mass of the Irish people a profligate venality; and the House was bound to grant to Irish Members an opportunity of disproving the sweeping charge, of fixing the charge where it justly attached, and of separating the innocent from the guilty. The Commissioners were bound also to justify themselves for making such statements; and to this purpose it was necessary that the correspondence with the inspectors from whom they derived the information on which they based the accusation, should be laid on the Table. He did not look upon this question as one merely involving the holding up of two or three persons before the country; but he regarded it as a matter in no small degree bearing upon the interests of Ireland. That country was in a state of transition. A large portion of the higher gentry were absentees; and their example was consequently lost to the country, while the class into whose hands the management of its affairs had fallen, were new to the transaction of public business. They had not yet in Ireland got into the habit of that strict attention to public business which was desirable, and errors no doubt were committed; and he also believed that, where errors were committed by individuals, they might in the great majority of cases be traced to a kindly feeling, and to an ardent desire to give relief, rather than to any fraudulent intention. But, even should the contrary be the case, such disclosures as would be made by the publication of the present correspondence, if true, would be the greatest possible benefit, for it would teach the people in future to show more caution in their conduct. He knew no real check for abuses of this description but bringing public opinion to bear upon those who had offended. As a general rule, he believed that men did not do what was just and right, so much for its own sake as from a wish that it should be believed by others that they did so ; and in accordance with that view he believed that if they brought offenders before the public, they would do more to raise the public character of Ireland than by any other means that could be proposed. In the observations he had made, he had sedulously avoided saying anything against the Commissioners. He believed they had conscientiously reported on the faith of the statements made to them; but at the same time he could not place this confidence in all the officials who had been employed by the Government. From many places reports of the most exaggerated character had been made, as had been clearly proved upon investigation. He believed it would be found that in many cases the reports would admit of explanations, and that in others they were gross exaggerations. It had been stated by the noble Lord (Lord J. Russell), that there would be an investigation into the character and conduct of magistrates ; but did the noble Lord suppose that it was really worth his while to do so ? Did he think that the mere dismissal of one or two magistrates —or merely censuring them, for he did not think it would go beyond that—would be satisfactory to the country ? Indeed he would make very light of the circumstance whether magistrates had acted in this instance rightly or not, because, from the state of the country, people had been too often appointed magistrates who ought not to have been placed in that position. What the people of Ireland would look for was, that publicity should be given to the offenders whoever they were; and he knew that there was in Ireland a sufficient amount of honourable feeling to put a stop to such practices for the future. The hon. Baronet moved as an Amendment—

> " That there be laid before this House so much of the Correspondence on Reports of the Inspectors, under the Act 10 Victoria, chap. 7 (with the name, rank, and residence of the parties referred to), as sustains the statements made by the Commissioners of Relief in their Third Report, condemnatory of the conduct of committees, or of individuals, in carrying out the provisions of the said Act."

Mr. STAFFORD O'BRIEN wished to say a few words before any reply was given by the Government to the Motion of the hon. Member for Mallow; and he would begin by observing that Sir John Burgoyne was at perfect liberty to publish whatever he choose with regard to his (Mr. S. O'Brien's) tenants, and that whatever he might report on such a subject, he certainly should not think of bringing it under the notice of the House. The hon. Baronet had asked for the name, rank, and residence of all parties who were condemned in the Third Report of the Relief Commissioners; and on the eve of a dissolution, when it would be impossible for these statements to be contradicted, the same body of men whom the hon. Baronet charged with having made the unfounded statements, were to be the very body of men who were to be entrusted with the publication of all these names. If the hon. Gentleman had been a Member of the Committee on the subject of Captain Wynne's letters, he was quite sure that he would never have made a proposition like this. The proposition he had made involved a task as large in its meaning, as it would be hopeless in its prosecution and unsatisfactory in its results. It was a proposition to enable those who accused, to publish so much of their accusations as they chose, without giving any opportunity to the persons charged to be heard in their defence. If in the next Session of Parliament the hon. Baronet, or any other Member, should think fit to move for a Committee of Inquiry into the conduct of the magistrates and gentry of Ireland, and if the Government for the time being and the House should assent to the proposition, he should not complain of its injustice, which was the ground upon which he thought it his duty to resist the present Motion.

Mr. LABOUCHERE hoped that the

hon. Baronet who had brought forward this Motion, would not expect that he should go at any length into a question which had been three times discussed. He had endeavoured already to remove the impression that any slur had been intended to be cast by the Relief Commissioners in their last report upon the gentry of Ireland. He admitted that the Commissioners, in the execution of their duty, and in order to bring the facts before the Government, had stated that some of the relief committees in Ireland, and some members of relief committees, had not discharged their duties in the manner in which it was generally expected they would have done; but he denied that anything in their report cast an indiscriminate censure upon the gentry of Ireland; on the contrary, the Commissioners distinctly said, that, generally speaking, the committees had discharged properly the important functions intrusted to them; that, although amongst the numerous relief committees (about 16,000) there had been many instances of misconduct, these were exceptions to the general rule; that the general rule was propriety and integrity of conduct, and the exceptions were malversation and impropriety: but there was not any ground for supposing that it was the intention of the Commissioners to cast any imputation upon the gentry of Ireland; he believed they had done only what they considered to be their duty—stated the sincere impression upon their minds. At the same time, he admitted that it was impossible to read that report without seeing that the Commissioners did believe, from the accounts which they had received, that there were instances, and those not a few, in which members of the relief committees had misconducted themselves. Where so many persons were called upon to discharge this new kind of duty, and where there were so many temptations to use their powers improperly, it could not be matter of much surprise that some individual instances of misconduct should have occurred; but he did not think there was anything contained in the report which cast a stigma or general censure upon the whole body of the magistrates and gentry of Ireland for their conduct on the relief committees. It was against the whole spirit and intent of that report to do any such thing. His hon. Friend the Member for Mallow proposed that there be laid before the House the entire correspondence and reports of these inspectors, stating the name, rank, and residence of the parties referred to, with regard to the conduct of 1,680 relief committees. He (Mr. Labouchere) believed this course, if adopted, must necessarily lead to a most extended and minute inquiry into all the circumstances of each case. The Commissioners had carefully avoided mentioning any one name; and in doing so they exercised a sound discretion. If they had pointed out individuals by name, every one of those individuals would have had a right to say, "My character has been maligned, and I have a right to insist that an inquiry should be instituted into the whole of the circumstances." He would ask hon. Gentlemen, as men of sense and experience, to consider whether it was practicable or morally possible to institute a searching and scrutinising inquiry into the proceedings of any considerable number of these committees? He believed it was absolutely impracticable; and that if it were practicable, it would be extremely inexpedient. After all, most of these obligations were rather of the class of moral than of legal obligations; and if they were to inquire into the carelessness or neglect of those on whom such obligations fell, he thought it would be but a very partial, and therefore an unnecessary proceeding. At the same time, he admitted that the Government ought not altogether to pass over allegations of this kind, when officially made; and he begged to repeat what his noble Friend the First Lord of the Treasury stated on a former evening, that the Government had not altogether passed them over. He considered there was a great distinction between those gentlemen who were acting as private individuals on the relief committees, and those who were appointed on account of their public character as magistrates. Being magistrates, they were bound by that circumstance to set an example to their neighbours; and he considered the Government had a right to call upon them to account for any misconduct of which it might be alleged that they had been guilty. The course, therefore, which the Government had taken was this: to all those magistrates against whom allegations of a serious character had been made, copies of the allegations had been sent, and explanations demanded. On the receipt of those explanations, the Government would take such steps as under the circumstances might be deemed desirable and necessary. He considered this a much better course than for the House to embark into a general inquiry—an undertaking which he did not believe would be, as was stated by his hon. Friend, either a short or simple one, especially when he recollected that the inquiry into the case of Captain Wynne alone occupied a Committee thirty-two days, and cost the country 3,000*l.* He hoped, therefore, the House would not agree with the Motion of his hon. Friend, but would be satisfied with the statement which the First Lord of the Treasury made on a former occasion.

Captain JONES was of opinion, that on reading this report the general impression in Ireland would be, that the gentry and magistrates of Ireland had not carried out the measures of relief as they should have done. His desire was to have the delinquents exposed to public censure; but, without inquiry, he was afraid that even the speech which the right hon. Gentleman had just delivered would give rise to a general belief that the gentry and magistrates of Ireland had not done their duty.

On the question that the words proposed to be left out stand part of the question, the House divided:—Ayes 80; Noes 19; Majority 61.

List of the Ayes.

Ainsworth, P.
Anson, hon. Col.
Baine, W.
Baring, rt. hon. F. T.
Baring, rt. hon. W. B.
Barnard, E. G.
Berkeley, hon. C.
Berkeley, hon. Capt.
Bodkin, W. H.
Bowring, Dr.
Brotherton, J.
Buck, L. W.
Buller, C.
Byng, rt. hon. G. S.
Clive, hon. R. H.
Courtenay, Lord
Craig, W. G.
Denison, J. E.
Divett, E.
Dodd, G.
Douglas, J. D. S.
Duckworth, Sir J. T. B.
Duncan, G.
Duncombe, hon. A.
Dundas, Adm.
Dundas, Sir D.
Ebrington, Visct.
Egerton, W. T.
Ellis, rt. hon. E.
Gore, hon. R.
Gower, hon. F. L.
Greene, T.
Grey, rt. hon. Sir G.
Grosvenor, Lord R.
Hastie, A.
Hatton, Capt. V.
Hawes, B.
Howard, hon. C. W. G.
Jervis, Sir J.
Labouchere, rt. hon. H.
Langston, J. H.
Lawson, A.
Lemon, Sir C.
Lygon, hon. Gen.
Masterman, J.
Maule, rt. hon. F.
Mildmay, H.
Miles, P. W. S.
Milnes, R. M.
Mitchell, T. A.
Molesworth, Sir W.
Morris, D.
Morison, Gen.
Mostyn, hon. E. M. L.
Pattison, J.
Philips, G. R.
Plumridge, Capt.
Price, Sir R.
Repton, G. W. J.
Rich, H.
Richards, R.
Rolleston, Col.
Russell, Lord J.
Rutherfurd, A.
Sheil, rt. hon. R. L.
Smith, rt. hon. R. V.
Somerset, Lord G.
Spooner, R.
Staunton, Sir G. T.
Strutt, rt. hon. E.
Tancred, H. W.
Thornely, T.
Towneley, J.
Vane, Lord H.
Waddington, H. S.
Wakley, T.
Ward, H. G.
Wilshere, W.
Wood, rt. hon. Sir C.
Wynn, rt. hon. C. W.

TELLERS.
Tufnell, H.
Parker, J.

List of the Noes.

Aglionby, H. A.
Blake, M. J.
Borthwick, P.
Burke, T. J.
Clements, Visct.
Cole, hon. H. A.
Collett, J.
Ferrand, W. B.
Gregory, W. H.
Hamilton, G. A.
Hayes, Sir E.
Hume, J.
Jones, Capt.
Lowther, hon. Col.
Pechell, Capt.
Vesey, hon. T.
Wakley, T.
Williams, W.
Yorke, H. R.

TELLERS.
Norreys, Sir J. D.
Ross, J.

Main question again put.

POOR LAW MEDICAL OFFICERS.

Mr. FERRAND said, he wished to put a question to the right hon. Gentleman the Secretary for the Home Department; and he must at the same time express his surprise that the hon. and learned Member for Bath was not in his place, because he had distinctly given him notice of his intention that evening to put the question to the right hon. Gentleman, for the purpose of showing the House that the hon. and learned Gentleman had, in contradicting him at the time he made to the right hon. Gentleman a statement to which his question referred, made use of language utterly unfounded. The question he wished to put to the right hon. Gentleman was this—"Whether the statement made by the hon. and learned Member for Bath, on a former evening, that a medical officer of a union had the power of recovering the price of drugs distributed by him to the poor out of the poor-rates, was correct?" When he gave notice of that question, the hon. and learned Gentleman rose and said, that that was not the statement he had made; and about five minutes afterwards he again rose and said, he would state to the House what the statement was which he had made when he addressed it before, and from which address he (Mr. Ferrand) had extracted the question which he was now about to put to the right hon. Gentleman. The hon. and learned Gentleman then made a statement, he would not say where, in this language— [The hon. Gentleman was about to read from a document in his hand, but was interrupted by]

Mr. SPEAKER, who intimated to the hon. Gentleman that he might allude in general terms to what had occurred in a former debate, but not the particular terms used.

Mr. FERRAND: The hon. and learned Gentleman was reported or supposed to have said—

> "In consequence of the question put by the hon. Member for Knaresborough, he felt called on to explain, that the statement he had really made was this, that a contract being made with medical practitioners in each particular union to provide not only medical skill, but medicine, if any surgeon told the hon. Gentleman that he had seen a patient die under his hands whom he could have saved, but would not, because the dearness of the medicine would take away all the profit of his contract, that person was guilty of a great dereliction of duty. He had stated further, that there was a regulation in the law which gave magistrates and boards of guardians power in special cases of extraordinary emergency to order relief both in food and medicine, such extra relief to be paid for by the union."

But the statement of the hon. and learned Gentleman, instead of being the one he had read to the House, was reported or supposed to be this—

> "It was declared by law that every man who was a surgeon to a union was bound to administer medical relief; and if any medical man, being a surgeon to a union, told the hon. Member what he said he did, that medical man asserted a falsehood, for the law did not require him to pay for the medicine, as that would come out of the poor rates, and would form part of the legitimate expenses of providing for the poor."

His hon. Friend the Member for Finsbury would bear him out in the statement he had made. Having vindicated himself for putting the question to the right hon. Gentleman, he now begged leave to put it to him.

Sir G. GREY could not refer to the statement that was made by the hon. and learned Gentleman the Member for Bath; but he thought he could give the most satisfactory answer to the question of the hon. Gentleman, by stating what he believed to be the law and practice in respect to medical relief. He believed the practice to be that, under the existing law, a contract was made by some medical gentleman for attending professionally to the poor, and that included, in most cases, though not universally, the supply of medicine. Consequently, so far the cost of the medicine must come out of the pocket of the medical officer. But there was a special provision in the law, by which, in cases of danger or sudden illness, justices of the peace might direct medical relief; and in those cases he apprehended that medicine could not be supplied out of the pocket of the medical officer, but would be charged on the general rates. At the same time, he was bound to say that he did not think the medical officer in the case referred to by the hon. Gentleman was altogether free from blame. The medical officer ought not to have taken a contract that would oblige him to witness a person dying for want of proper medicine. He ought to have taken care before entering into the contract that there was a reasonable prospect of his being enabled to perform the duties he had undertaken; or, when a special case arose, he should have referred it to the board of guardians, or to some magistrate, so that the patient might not die because he could not be provided by the medical officer with proper medicine.

House in Committee.

SUPPLY—POOR LAW.

The CHANCELLOR of the EXCHEQUER said, the first vote he should move would be a vote for the Poor Law establishment. It was impossible for him to put into the estimates any other vote than the vote of last year, for the Government could not answer for the Poor Law passing. He would now state that it was proposed that the salary of the new Chief Commissioner should be 2,000*l.*; being, therefore, a saving of 4,000*l.* a year iu the salaries of the Commissioners. But it was proposed to have two Secretaries at a salary of 1,500*l.* a year each. So that whilst the expense of the establishment under the old law was 7,000*l.*, the expense of the establishment under tho new system would be 5,000*l.* He moved that 182,200*l.* be granted for the administration of the Poor Law.

Mr. FERRAND said, it had been his intention that evening to bring under the notice of the House the medical treatment of the poor throughout the country; but, having communicated that intention to the right hon. Gentleman, and that right hon. Gentleman having informed him that it was the anxious desire of the Government, as soon as the new Board was formed, that that Board should take into consideration the medical treatment of the poor throughout the country, for the purpose of increasing and improving it if necessary, he would not, if he had a pledge from the Government to that effect, occupy more of the time of the House upon the subject. He might, perhaps, be allowed to say that it was proved by the evidence stated in the report, that in an union exactly opposite to that House (the Lambeth union), the medical officer had received only 1*s.* 4*d.* a day for attending in each case.

Sir G. GREY observed, that the subject of the expenses attending medical relief was one which deserved the most serious attention of Her Majesty's Government; and he undertook to say that it should, with as little delay as possible, receive that attention. It would, he hoped, be so considered as to enable them to propose to the House a sound measure of legislation upon that particular point. A right hon. Member called upon the House in the course of the last Session of Parliament to vote a large sum for that purpose, thereby expecting to increase the efficiency of medical relief to the poor. The sums for this purpose were only voted half yearly, so that frequent opportunities of revision were open to Parliament. Whoever, in the present or in any future Government, might be charged with the expenditure of that amount of the public money, would, of course, take care that the utmost degree of efficiency should be secured which that amount of remuneration could obtain.

Mr. WAKLEY thought that any further inquiry would be quite superfluous. Inquiry had already been instituted—all the evidence that they wanted was in the book then on their Table, and the discovery had clearly been made that there were no men so ill paid as the medical gentlemen who visited and prescribed for the poor. But when the Bill that they had recently passed was before them, they had introduced nothing upon this subject; and he at that time did not think proper to make any proposition regarding it, as he could not fairly expect that the right hon. Baronet opposite would have agreed to the introduction or discussion of any subject not immediately connected with the powers of the Commissioners or the constitution of the commission. If he had brought forward anything on the subject of reward or remuneration to the medical attendants, he should at once have expected that the Government would oppose any proposition of the kind. The subject, however, was one which must engage the attention of Parliament in the course of the next Session. Upon the poor the present state of the law worked with indescribable inhumanity and cruelty; and, as to the medical practitioners themselves, it was downright robbery. It was nothing less than letting out the care of the health of the poor by contract. Was there any man of common feeling or common prudence who would let out the lower animals in possession by contract? Would any Gentleman in that House, or in the country, put out his stable of horses, or his kennel of dogs, to have their health taken care of by contract at the lowest possible charge, and by the lowest bidders? But that was what was done with the medical treatment of the poor—they were handed over to the tender mercies of those who made the lowest offers. It had been said, and said very truly, that medicine was included in the charge for medical attendance: they were not paid for separately; and he regretted to learn that any medical practitioner should have made such a statement as the hon. Member for Knaresborough had quoted. If any medical man engaged by contract to provide medicine and advice for the poor, he was bound to perform that contract, cost what it might; he was bound—having made the contract—to supply his patients with any medicines which their cases might require. The practitioner, in the case to which he had been referring, said that, for the sum which he received, it would be impossible for him to supply his patients with all the expensive medicines that they might require: he said he could cure the patient if he went, in the particular case in question, to the necessary expense. But he should have remembered, when he entered into his contract, that cases requiring expensive medicines, did occasionally occur; that some cases might be cured by cheap medicines, but that costly medicines might be demanded by others; in honour and honesty that practitioner was bound to refuse such a contract, for the nonfulfilment of it might have involved the destruction of human life. But, if the medical practitioner deserved blame, how much more deserving of blame were those who forced him into that contract? Medical men in small country places had often great difficulty in supporting a family; and the struggling members of the medical profession knew that if they did not accept the offer made to them by the poor-law union officers, some of their rivals would take it. Influenced by this consideration, he some time ago made a suggestion which he thought might have been advantageously adopted; it was to this effect—that those paupers who stood in need of medical assistance should, by the proper authorities, be furnished with an order which they might present to any medical practitioner whom they thought proper to select, and from him receive the necessary advice and medicines. This would give the poor man the power of selecting his own adviser, and would often save him from a great deal of unnecessary toil, delay, and disappointment. It was well known that medical practitioners employed to attend to the wants of the poor often lived six, seven, and eight miles from the workhouse; or, if not at that distance from the workhouse, at least as far away as that from the most populous part of the parish or union; thus the poor man who happened to require their assistance would be often obliged to travel sixteen or twenty miles a day before he could obtain the necessary relief, although in his progress to and fro he might have passed the houses of many medical men, from whom he could easily have obtained advice and medicine if he had been previously supplied with an order for that purpose. All considerations of this kind, he ventured to say, would come before Parliament in the course of the next Session: he had no doubt that half their time would be taken up in legislating for the poor; and he sincerely hoped that every effort would be made by the new Parliament to ameliorate the condition of those who were dependent upon parochial relief. Of one thing he was quite certain, that nothing could be worse, both for the medical practitioner and for the poor man, than the present state of the law. He greatly regretted that the Government had thought proper to ask for the present vote—it was a vote founded upon a mutilated Bill. There had been, in another place, two most valuable clauses expunged from that measure, and expunged without any opposition on the part of the Government in the other House. He wanted to know why they had not the Bill before them when they were called upon to agree to the present vote? To propose the vote without the Bill, was a plain violation of a solemn engagement. Then, again, the amount was objectionable: 2,000*l.* a year was more than the Commissioner was worth. He had an objection to the vote, not being informed of the precise constitution of the establishment, for the Bill was not before them. He would ask them, was it dignified for the House of Commons to agree to such a vote till they saw the Bill in its final shape? The Bill, as they all knew, had gone up to the Lords; but the Government made no effort there to retain the clauses—the valuable and important clauses—that had been added in the House of Commons. Both those clauses were based upon sound policy and upon justice: they had been sustained by arguments which no one had answered; and yet the Government sanctioned the principle of those clauses in the one House, and violated that principle in the other. There was no opposition in the Lords to expunging those clauses, nor any division on the subject: he thought, then, that the House had not been treated fairly in the matter, and he therefore felt disposed to divide upon the vote. It was not fair that the Government should give up in the other House a Bill that had passed the House of Commons with so much approbation. He hoped, then, that the right hon. Gentlemen opposite would agree to postpone the resolution till they knew the fate of the Bill in the other House.

The CHANCELLOR OF THE EXCHEQUER said, when the Bill came again before them, it would be competent to them to deal with the whole subject as they thought proper.

MR. W. WILLIAMS was very happy to concur in the proposed reduction of expense, and he hoped that the Government would take this case as an example for the regulation of their future conduct. He sincerely hoped that the New Poor Law would be a very material improvement upon its predecessor. As much as 70,000*l.* a year was paid for medical aid, and he hoped that that charge would in future be very greatly reduced.

Vote agreed to.

SUPPLY—STIPENDIARY MAGISTRATES IN THE COLONIES.

On the question that 41,600*l.* be granted for salaries and allowances for Stipendiary Justices in the Colonies,

MR. WILLIAMS objected to this vote, on the ground that it involved a waste of the public money. The object for which the justices were appointed had ceased to exist since the emancipation of the slaves in the colonies, and their services were no longer required. At any rate, if the colonies thought it necessary to have these justices, they ought to pay their salaries.

MR. HAWES said, that the vote proposed last year for this purpose was 1,800*l.* below the amount voted in the preceding year, and the present vote was 1,800*l.* less than that of last year. The charge, therefore, was in a course of progressive reduction. He was not disposed to object to the proposition that the colonies ought generally to defray the expense of their own administration of justice; but the present case was an exception to the rule.

MR. HUME wished the hon. Gentleman to state the principle upon which the progressive reduction of this charge proceeded, in order that the Committee might know when the charge would eventually cease. The magistrates to whom the vote referred were appointed to protect the slaves in the colonies; but in the altered circumstances produced by the Emancipation Act, the proprietors were more in need of protection than the labourers.

MR. HAWES said, that the charge could be reduced by not filling up vacancies when they occurred, or the Imperial Treasury might at once be relieved from it by it being transferred to the colonial treasuries. At present, he could not undertake to say which of those courses would be adopted.

Vote agreed to.

SUPPLY—THE SLAVE TRADE.

On the question that the sum of 100,000*l.* should be granted to defray the expense connected with the capture of Slave-trading Vessels,

MR. BORTHWICK said, that the state of the House and the period of the Session forbade his entering at length into the great question connected with this vote; he therefore would content himself with touching briefly upon a few of its leading features, and then leaving it in the hands of Government. The object which he had in view was, to relieve the pressure of a heavy burden on the finances of this country—to avert a vast amount of evil which the present course of things inflicted upon the inhabitants of Africa—and to remove from the path of human civilisation an impediment which for the time appeared to be insurmountable. England had much to answer for with reference to the people of Africa. If this country did not originate the odious traffic in human beings, she at least, by her example, encouraged it, and carried it to the height of criminality which it reached before 1807. Though the horrors of the Slave Trade, with the recital of which that House was wont to be thrilled previously to 1807, were such as to arouse the sympathies of Europe, those which had occurred of late years, since the stringent blockade of the coast of Africa had been enforced, exceeded them a hundred fold. England first engaged in slave-dealing in 1652, when John Cocking fitted out thirty-eight vessels, the largest being 120 tons, and the smallest 40, to carry negroes from Africa to Hispaniola, now St. Domingo, where they were sold. From 1752 to 1762 the trade increased to such an extent, that during that time no fewer than 71,115 negroes were imported into Jamaica, and sold at the average price of 30*l.* each. From time to time, English dealers contracted to supply Foreign Powers with slaves, and in every instance the contracts were sanctioned by the British Government. It was a curious fact, that the first attempt to put an end to the traffic in slaves was made by the planters themselves. In 1747, the Assembly of Jamaica passed two Bills, the object of which was to suppress the Slave Trade; but the British Government refused to sanction those measures, and directed the Governors of the West India colonies to inform the assemblies, that if they passed any more Bills of a similar nature, they would be deprived of the power of legislating for their own affairs; and the reason assigned for that proceeding was, that the Slave Trade was very profitable to the citizens of the mother country. In 1794, the House of Commons took a step towards the ultimate abolition of the Slave Trade, by passing a Bill which prohibited the sale of slaves to foreigners. The House of Lords, however, rejected the Bill; and it was not until—in consequence of the famous agitation headed by Wilberforce and Fox, and countenanced by Pitt—the anti-slavery feeling took such strong hold of the public mind, that the Legislature was obliged to grapple with the question; and finally, in 1807, the Slave Trade, as far as Great Britain was concerned, was made felony. Since 1807 we had made various treaties with our allies, for the purpose of putting down the traffic generally; but, unfortunately, the effect of those treaties had been to aggravate greatly the evils of the Slave Trade. [The hon. Member read extracts from various documents to prove that before the abolition of the Slave Trade, greater attention was paid to the health and comfort of the negroes during their transit from Africa, than was now directed to those objects.] The number of a slave cargo was at that time thought enormous if it was 620; the mortality was estimated at from 3 to 10 per cent; yet the statement of that fact in 1788 roused all England, and in consequence of the indignation of the country the traffic was put an end to. But the noble Lord knew the mortality during the middle passage at the present time, caused by the increased vigilance of the English cruisers, was 600 and 700 per cent. Out of 600 slaves taken on board on the coast, not more than 100 or 200 were landed alive. That dreadful increase of mortality was in consequence of a mistaken humanity on the part of the people of England, who were taxed to the amount of 1,000,000*l.* a year for the expense of putting down the traffic, for which no good effect was obtained. On the contrary, a certain impediment was thrown in the way of African civilisation. The accounts of Africa, written at the beginning of the 16th century, speak of the country before it was resorted to by the slave-dealers as comparatively civilised. The people of Guinea understood commerce, and to a certain degree art flourished among them. At one time the King of Timbuctoo was spoken of as a patron of literature. In a report made to the King in 1788, the negroes were described as an inoffensive race when they had no intercourse with Europeans; but after that they became degraded, and were depopulated by wars and cruelties. This was a melancholy confirmation of a remark of the right hon. Baronet the Member for Tamworth, that when civilisation came in contact with barbarism, barbarism always had the worst of the conflict. If Europeans conducted their intercourse with the negroes as if they had the interest of that people at heart, it would be advantageous to the country; but in most parts of the continent the kings, encouraged by the slave-dealers, made perpetual war on each other for the sake of making prisoners; of these, the handsomest women were reserved for domestic slaves and concubines; the rest were sold on the coast to the slavers. Even when the traffic was recognised and under some regulation, when it was conducted with comparative mildness, the barbarous chiefs of Africa had recourse to these terrible practices; how much must they have been increased in horror now that not only the demand for slaves had increased, but the proportionate number required was so great, that six Africans must be found for every one landed at Cuba or the Brazils. He knew not how they could better begin to put an end to the slave trade, than by putting an end to its cruelties, and relieving Africa of the girdle of horrors with which they now encircled it; if they allowed something like free intercourse between Africa and the continent of Europe, the negro population must insensibly imbibe some portion of the spirit of liberty. Even Sir T. F. Buxton, who, during a long life was the zealous advocate of the abolition of the slave trade, told them that all their expenditure of money, and of the lives of their best and bravest, had but increased the evil. Knowing this, he should not appeal to the noble Lord in vain to reconsider the treaties which, in an evil hour for the character of Great Britain and the fate of Africa, his predecessor had concluded with France and other Foreign Powers for the suppression of the slave trade. In the speech of the noble Lord the Member for Lynn, to which he had before alluded, the noble Lord quoted the case of the *Kentucky*, an American vessel, that was taken with 500 negroes—men, women, and children, huddled together in a space between decks only two feet ten inches high. The most shocking cruelty was practised on board that vessel, though the captain was a sugar planter and owner of the slaves himself, and therefore had a direct interest in taking as much care of them as possible. On one occasion he coolly ordered his men to fire through the deck on the poor wretches of both sexes crowded together in the hold below. Here the mortality was not merely two or three per cent, which at one time was considered enormous; here 500 per cent perished, partly from the cruelty of the captain, partly from disease and suffering. The steamers employed on the coast of Africa, by their rapidity, compelled the slavers to use vessels of the slightest construction, with the least possible amount of accommodation. The service was a revolting one to the navy engaged in it; and it had been stated to Lord Aberdeen, that the blockade never deterred the traders from entering on the traffic; its only effect was to make them build ships with less space and draught, the confinement in which was more destructive to human life than those formerly employed. He had thus briefly stated three points: first, that which the people of England would consider the least important, if any good result were effected by it, that the expense of the service to this country was 1,000,000*l.* a year, spent with no advantage, but causing a greater destruction of human life, and retarding the progress of human civilisation. Secondly, it was proved the loss of life among the officers and men employed was very large; they had to guard a coast of 3,000 miles in length, exposed to a deadly climate; but all the sacrifice of health and life was useless. The third and most important consideration was, that for every thousand negroes sold into slavery, six or seven times that number died in the most excruciating agony. Such was the result they had attained after the sacrifice of millions of money, and the expending of hundred of lives on the part of Great Britain. In conclusion, the hon. Gentleman said, that, however imperfectly and rapidly, in deference to the wishes of the House, he had stated the facts, he trusted the noble Lord would pardon that deficiency, and would take the case on its merits—that he would not ask for this vote—that he would repeal the statutes enacted for carrying out our treaties in reference to the slave trade with Foreign Powers—and that he would at once proceed to abrogate those treaties, and thus free humanity from the terrible curse they entailed

Viscount PALMERSTON: I certainly cannot find fault with the efficiency with which the hon. Gentleman has stated his case; on the contrary, it seems to me that he has laid it before the House with very great dexterity. Judging from the drift of his argument, I should suppose his object is to legitimatize the slave trade; and he has tried to insinuate that conclusion under the semblance of great regard and care for humanity. I entirely agree with the hon. Gentleman that this country does owe a great debt of reparation to Africa in regard to this matter. It is quite true that England was originally a culprit in introducing this abomination to the shores of that quarter of the world; but it will be some atonement to remember that if England was among the first to commit the sin, England also led the way in a noble and generous crusade—that we not only abolished our own slave trade, but we also emancipated our own slaves. And, whatever differences of opinion may prevail as to the best and most effective means of checking or preventing the slave trade, one truth ought never to be lost sight of—that the trade never can be entirely and permanently put an end to until the condition of slavery itself shall be abolished. I differ with the hon. Gentleman as to the comparison he has drawn in regard to the cruelties of the middle passage before the abolition of the slave trade of England, and since this country has adopted the vigorous measures which have recently been pursued to check that dreadful offence. The hon. Gentleman has quoted from the evidence taken before the Committee of 1826, to explain the course which was then pursued by the slavers, to show the superiority of the ships engaged, and the comforts enjoyed by the slaves. He says they were taken on deck in the daytime, and made to jump about; that in their absence their place of confinement was fumigated with delightful odours; that frankincense was even used to make their apartment luxurious; and that in consequence the mortality ranged only from two to ten per cent. Now, the hon. Member might even have gone further. If he had read the whole of the evidence taken before the Committee of this House, he would have found one witness stated, so delightful was the condition, so happy the state, of the negro in the middle passage, that it was actually the happiest period of the negro's life; and, possibly, comparing his sufferings during the passage, great as they were, with those he was destined to encounter on his arrival at the market at which he would be sold, it might prospectively be entitled so to be considered. These, however, were depositions made by the advocates of the slave trade; but the hon. Gentleman will also find, and anybody who will give himself the trouble to look will find, in the same examination, details of horrors taking place on the middle passage quite equal to any reported to have been committed in recent periods. There were some distinguishing features of cruelty in the slave ship of that time. There was the boarding netting. The deck of every slave ship was surrounded with high netting—and for what purpose? To prevent these miserable creatures from escaping from the tortures to which they were subjected by plunging themselves into and perishing in the waves. And that is the state of happy existence which the hon. Gentleman thinks so deserving of his praise. Why, the instances are innumerable of negroes jumping overboard; frequently the one dragging the other after him, and both sinking together; and often it happened that some desperate negro struggled to drag to the same fate the companion to whom he was chained, but who was not prepared for the determined act. They were exposed to the most fearful cruelties below; and, as they were compelled by the lash to jump about on deck in order that their physical health might be preserved whenever the opportunity presented itself, the more daring leaped into the sea to escape the terrible tortures of the vessel.

But the hon. Gentleman says, that at that time the mortality at the utmost did not exceed 10 per cent; and that now, by recent accounts, according to his showing, it equals 500 or 600 per cent. How the mortality can be at that amount per cent, I do not exactly understand. The hon. Gentleman means that out of every 500 or 600, 100 negroes died; and I would suggest that, if he looks to the calculation, he will find that, instead of it being 600 per cent, the mortality could only be, at that rate, something like 16 or 17 per cent. The difference, therefore, on his own showing, of the rates of mortality formerly and under the present system, can only be between 10 and 17. If 100 die out of every 600, that is only about 16 per cent. [Lord G. BENTINCK: That is not what the hon. Member said.] The supposed mortality of 600 has thus been reduced to the more humble and moderate proportion of 16 per cent. I do not, however, mean to deny that the cruelties now inflicted on the negroes on the passage, amount to anything that the imagination can conceive; and it is impossible to exaggerate the state of suffering which the wretched slaves are forced to undergo. And when you come to consider the deeds of violence and brutality which are committed in capturing the prisoners, the sufferings they sustain in the march to the coast, their tortures on the passage, and the miseries to which they are to be consigned when they arrive in America, you may with truth assert that which I took the liberty of stating on a former occasion, that, as I believe, if all the crimes the human race ever committed were summed together in one black aggregate, they would not amount to the heinousness of this one horrible sin. We are, then, all agreed as to the abomination of the trade; the hon. Gentleman avowedly only condemns the measures that have been adopted for the purpose of suppressing it, and he contends that our efforts at prevention have only increased the evil. He would be, if I rightly comprehend him, for removing all the cruisers, abrogating all the treaties entered into by the British with foreign Governments, and giving freedom to legitimate trade. Thus, he commences his conversion to the principles of free trade by demanding a free trade in slaves. I will not accept the conversion on such terms as these. It would be easy to show that that freedom of trade, instead of abolishing, would extend the slave trade most enormously. The hon. Gentleman says that those cruisers by which the coast of Africa is watched, prevent any legitimate traffic; and he supposes that if you allowed Europeans to have a fair traffic in Africa for the purpose of buying negroes, the principles of liberty would soon diffuse themselves throughout Africa, and that then the legitimate trade would put an end to the slave trade. Now, if there is one fact which all those conversant with Africa concur in more than another, it is this—that the slave trade extinguishes legitimate trade, and that wherever the slave trade is, there legitimate traffic ceases to be. And consequently, if I am correct in assuming that the measures suggested by the hon. Gentleman would increase and scatter the trade over the whole coast of Africa, I am borne out in saying that one of the results would also be to annihilate all legitimate trade in the neighbourhood of that coast. It required very little demonstration to show the justness of the conclusion to which I have now come. What is the price of a negro in Brazil and Cuba? Has that price increased, or has it not? Every one knows that it has increased enormously, for that is the very argument of those who wish us to discontinue our precautions. They say, that seeing the great profits of this trade, and the temptations it in this way holds out, we can never put it down in the manner hitherto tried. They point out that all the risk is repaid if there is landed one cargo out of three or four, or one out of five or six, and that we pay the slave trader; but, translate that into common English, and it means simply that the supply falls infinitely short of the demand. It means nothing more; it means only the number of negroes brought into America is so much less than the demand for them, that the profit is great enough to make one cargo landed out of six pay the person who has undertaken the infamous traffic. What is that withholding that required supply? Why, our preventive measures, your cruisers, your treaties with European Powers. It is obvious, common sense tells you, that if you don't dam up the stream, the water will flow in its abundance; and, naturally, if you remove these checks we have imposed, the supply will at once spring to equal the demand; and for every 100 men that now reach the coast of America, you will have 500 or 600. Is that the mode you will employ of putting an end to the cruelties and horrors of the slave trade?

Depend upon it, if the measures now pursued were to cease to be adopted, you would have the coast swarming with such a number of slavers, pirates, and ruffians of every sort and kind, that there would be no safety for legitimate trade. Moreover, the profits which the native chiefs in that case would derive from the trade in man, would supersede all inducement to traffic in any other way; your legitimate trade ceasing, your chance of African civilization would cease also, and the coast then would be a sort of hell upon earth uninterrupted by any intercourse with civilized beings. That would be the necessary and inevitable consequence. But I am told that the evil would at last reach to that degree that the native chiefs would become disgusted with it, and that the people in Brazil and Cuba would be sick of so unprofitable a concern, and eventually of their own accord put an end to the trade. Why that is very like the well-known proposal of the Anti-Jacobin to make housebreaking so ludicrous an affair as to deter any one from committing the offence. I say that nothing will put an end to the slave trade but your preventive measures. First of all, to prove my case, I must refer to all the voluminous papers which have been laid on the Table of the House from year to year, which show that, in proportion as your preventive measures are strict, the slave trade diminishes, and that when they are relaxed, that trade becomes extensive again. I have here the evidence given before the Commissioners appointed to inquire into the subject, the Duc de Broglie and Dr. Lushington, and they examined, not any speculators, but men conversant with the state of things on the coast of Africa. I will read to the House one or two questions and answers. Captain Henry Dundas Trotter, R.N., was asked—

> "Do you think that the slave trade has increased or diminished since the time you have known the coast of Africa?—It had very much decreased during the interval between my first and second visit to the coast. I mean that during this interval, from 1834 to 1841, the number of slaves exported had diminished to a comparatively small amount. Indeed, in the year 1841, when I went to the Niger, the number had become very small indeed; and it was still lower in 1842, when I believe it had reached its minimum, owing, no doubt, to the destruction of the barracoons by Captain Denman, in the year before, and the approval, by the Government, of that proceeding. It has, since then, again increased. To what do you attribute the increase since the year 1841?—I attribute the decrease, in the interval I have alluded to, very much to the blockade system, and its subsequent increase to that system having been at times less rigidly maintained."

Captain E. Butterfield was asked—

> "Do you conceive that any measures could be resorted to which would be effectual for putting down the slave trade?—The most effectual would be to declare it piracy by all nations. Did the slave trade increase to your knowledge? It increased very much after I left. For what reason?—There were fewer men-of-war there at that time. Do you believe that by the application of any extent of naval force you could so blockade the coast as to prevent the slave trade being carried on?—I think so."

Captain G. Sprigg was asked—

> "Did the trade continue about the same in 1841 and 1842, or did it diminish, or did it increase?—It diminished in 1841 and 1842, because our force much increased after 1840.
>
> "Your force was not much diminished there in 1841 and 1842?—No, it was increased over 1840.
>
> "The trade decreased during the years 1841 and 1842?—Yes.
>
> "Do you believe it would be possible to blockade the whole of that 2,300 miles of coast along which the trade extends, so as perfectly to prevent the slave trade?—No doubt it is possible with force enough."

Captain J. Denman was next examined. He stated, in answer to a question—

> "The diminution of the slave trade in 1841 is clearly to be traced to the new system of blocking up the slave factories, and its reduction in 1842 to the small number of 3,000 is undoubtedly owing to the destruction of those depôts, and the fear that the same measures would be univerally adopted. * * And I am equally satisfied that if that system, be resumed and carried out with vigour, it cannot fail of putting down the slave trade. This result will be immensely accelerated if the system of destroying the slave depôts be at the same time resumed under proper restrictions and precautions."

The examination went on—

> "So that assuming that a sufficient force could be obtained, you could effectually prevent the slave trade?—I have not the slightest doubt of it. The suppression would be greatly accelerated by breaking up the slave factories.
>
> "You have considered the question of suppressing the slave trade very maturely?—I have given my mind to the subject a great deal for some years.
>
> "Have the goodness to state what measures you would propose to adopt with a view to extinguishing that trade?—I consider, first, a universal right of search upon the part of the ships of war, of whatever nation, employed upon that service, to be indispensable, whether under particular treaties, or whether under some substitute for the existing system; but that right I take to be quite essential. The next thing in importance I think would be to affix a personal penalty or punishment upon the persons who may be found engaged in the traffic. Thirdly, the breaking up of the slave depôts. Fourthly, the entering into treaties with the native Powers, providing for the destruction of the slave factories. Fifthly, the establishment of commercial posts in the neighbour-

hood of all present slave-trading districts, the encouragement of legitimate commerce, the instruction and improvement of the natives by means of missionary labours and otherwise."

The noble Lord went on to say—It appears from these extracts of the opinions of persons practically acquainted with the subject, that I am borne out in my opinion that the slave trade could be put an end to by the means which I have described. That view is borne out, not only by those who are best acquainted with the subject, but by general reason. The hon. Gentleman has quoted the opinions of the late Sir Fowell Buxton upon the subject of the suppression of the slave trade; and no doubt the opinions of such a man are deserving of the greatest respect; but the hon. Gentleman ought to recollect what was passing in Sir F. Buxton's mind at the time when he expressed those opinions. When he wrote the book from which the hon. Gentleman quoted, he had the humane and benevolent object in view of inducing the Government to send out an expedition for the colonisation of part of the coast of Africa with a view to civilizing the negroes; and in looking to that object he brought his mind to the conclusion that the existing measures had failed, and that it was worth while for the country to undertake a new, and, as many then thought, a doubtful course. The expedition was unfortunately unsuccessful; but his principle was a sound one, though he carried it too far. It is true that the best method of putting an end to the slave trade, after putting an end to slavery in other countries, is to strike at its origin, and persuade the chiefs not to kidnap and sell negroes, but rather to employ themselves in legitimate commerce. That is one of our measures, the progress of which is well known. By a treaty between England and France, the two countries turn their attention to that subject, and to the formation of treaties with chiefs in Africa, with a view to inducing them, of their own accord, to put an end to the slave trade. A good many treaties of that kind have already been entered into, and a good many chiefs have, under these treaties, engaged not to permit the traffic in slaves in their possessions. That is a good and efficient arrangement, so far as it goes; and it will be the object of the British Government, as I am sure it is the object of the Government of France, to extend the range of those treaties—to persuade the chiefs on the coast where the slave trade is now carried on to abandon it—to employ themselves in other pursuits—and if necessary, to use force to expel any Europeans who may wish to establish themselves on the coast with a view of carrying on that traffic. I hope that those efforts will be persevered in, and that they will be followed by a diminution of that abominable traffic. According to our accounts the import of slaves to Cuba has very much diminished; and I am sure if the Government of Spain is disposed to exercise its authority in Cuba, that diminution will be still more evident; but perhaps the Government of Spain is not very strong in its extremities even in the Peninsula, not to say in Cuba; and the Governor of Cuba, and the officers under him, thus obtain a large profit arising from the sale of slaves. I believe that latterly the orders from Madrid have been pretty well attended to in Cuba, and there has been no considerable importation of slaves into Cuba for the last two years. Brazil is another offender in these matters. There is no improvement in Brazil; but a great aggravation of the crime has taken place on the part of Brazil, no less than 42,000 negroes having been imported into Brazil in 1846, according to the account which I have seen; but I much fear that the real number has been still greater. In Brazil there is not a man from the highest to the lowest—I am now speaking of subjects, not of sovereigns—I am afraid there is not a man from the highest to the lowest in Brazil, who is not in some way or another directly or indirectly encouraging this trade, which forms part of the foul emoluments of those employed by the country. The treaty of last year gives powers which I have no doubt as they become more exercised will have the effect of checking this state of things. The hon. Gentleman has read, from the Slave Trade Commissioners at Cuba, a statement to the effect that it is no use to try to put an end to the slave trade by operations on the coast. I have not that statement before me; but I have no doubt that the hon. Gentleman will find that the opinion of the Commissioners is not that repressive measures are of no use, but that the coast of Africa is not the place for those repressive measures—that is the expression as well as I recollect—and that those repressive measures would be more efficient on the coast of Cuba. That opinion would tend to show, not what the hon. Gentleman appears to think, that repressive measures would be useless, but merely that they might be more efficiently employed on the coast of Cuba than on the coast of Africa. Latterly the opinion has prevailed, and it is one in which I am disposed to concur, that the best mode of proceeding is to stop the ships on the coast of Africa before beginning their voyages; for if you secure the vessel before she gets the slaves on board, you prevent all the evils which would otherwise arise from the transport of the slaves across the Atlantic, and all the evils of removing them from their own country. For some time past the concentration of forces at the River Plate is such that slavers making their escape from the coast of Africa have been enabled to escape unmolested; but if the affairs in the River Plate are soon brought to an amicable termination, we may be enabled to give some check to the trade on the coast of Brazil, and that will effect a considerable diminution in it. If the Government of Brazil is bound by treaties to prevent its subjects from encouraging the slave trade, and is notwithstanding daily violating its engagements, then I say that it is guilty of a breach of contract towards Great Britain. I have heard that in the northern portion of Brazil the planters are beginning to employ the native Indians instead of the negroes, and that they are found to be as good for that purpose as the negroes; and if the practice should continue, we may hope that some check may spontaneously be caused to the slave trade by that means. With regard to the expense of repressing the slave trade, I deny that it is as great as the hon. Gentleman represents—the expense is considerable, and I do mean to underrate it; but whatever it may be, I am satisfied the people of this country will think the expense well incurred if they rescue annually 100,000 or more Africans from misery; and if thereby they may plant civilization in Africa, and establish there legitimate commerce, instead of the abominable traffic in human flesh and blood. That has been to a great extent proved by the facts I have quoted; and by persevering in the course we have adopted, and engaging the chiefs of the African coast in the pursuit of legitimate traffic, instead of the illegal and abominable traffic in slaves, I hope in process of time to see that traffic altogether extinguished. In the meantime we are diminishing it; and if we should now cease our exertions, we should be guilty of a greater offence than when we first began the slave trade; because with our eyes open, we let loose upon the unfortunate Africans an amount of misery and horror that would exceed any power of description possessed by the hon. Gentleman or by me, and which would be enough to make every man shudder merely to contemplate. Although this is not the vote to which the observations of the hon. Gentleman immediately apply, yet all the votes connected with this subject deserve the favour of the House; and I am sure that nothing in this world could strike the people of this country with more astonishment than to hear that we had put an end to a system which we have so many years persevered in, and that we let loose a band of slave-dealers and pirates to devastate Africa from one end to another.

Mr. HUME maintained that the expense of our squadron on the coast of Africa was upwards of a million sterling annually; and, notwithstanding that outlay, our exertions had not been successful in suppressing the slave trade, nor were they likely to be attended with success. The result of our exertions had been to double the demand for negroes, and consequently to increase the temptation to the slave-dealers, so that at present they were in the habit of sending so many as 200 or 300 slaves in a very small vessel, and they were satisfied if no more than fifty or sixty survived, as that number would repay them. Even the Anti-Slavery Association were now convinced that keeping up a blockade of the coast, at the expense of a million of money, was attended with no beneficial result. The noble Lord said if we went on with this system we should succeed—but succeed in what?—in keeping the slave trade in check? Even the noble Lord did not assert that we should succeed in putting an end to the trade. He (Mr. Hume) looked upon the slave trade as a species of smuggling, which was caused by the high price brought by human flesh and blood. He had seen a friend within the last month from the Havana, who stated that the profits of plantations in the Havana were actually doubled. The planters, therefore, might well afford to pay 500 dollars, instead of 400 dollars, for a slave. Now, what was the remedy which he proposed in order to put an end to smuggling of this description? He would deal with it just as he would deal with smuggling in tobacco—he would lower the duty, and so take away the temptation to smuggle. Let them make free labour as cheap as slave labour, and then, but not till then, would they put an end to slavery At present our colonies were unable to maintain a competition with the Spanish colonies, in consequence of the enormous price which they paid for labour. The only mode, therefore, of remedying this evil was by allowing those who had capital in the West Indies to go to the coast of Africa, buy slaves there and carry them to the West Indies, where they might be placed as freemen, and produce those articles of consumption which came into competition with slave-grown commodities. [Mr. HAWES: A Government steamer is employed to carry labourers to the West Indies.] That was not the way to put down the slave trade. Let our colonists buy slaves at the same market as the Spanish colonists; but when they had bought their slaves they should be enfranchised. There need be no fear of oppression on the part of the masters, because as soon as the slaves were landed they would become free, and in a very short time they would become electors, and would regulate the way in which they should be governed. He therefore did not agree with the noble Lord, and thought that he had no proof whatever of the success of his plans, on which account he (Mr. Hume) had submitted a plan of his own, which, whatever else might be said of it, was at least based upon sound principles.

VISCOUNT PALMERSTON wished to say one word in reply to his hon. Friend the Member for Montrose. His hon. Friend had quoted the opinions of the Anti-Slavery Association, and he (Viscount Palmerston) was quite aware that these were the opinions entertained by the association of late years; but the hon. Member for Montrose was perhaps not informed that the opinions of that association were also, that the best mode of defending the country would be to get rid of our Army and Navy. Such, at least, was the opinion entertained by the Peace Society. With regard to the observations made by his hon. Friend on the subject of smuggling, and allowing a free importation of labour into our colonies, he must say that he had always understood that if it were desired to increase the importation of a commodity, smuggling might be put an end to by licensing the importation, and thus the quantity of the commodities brought in might be increased. But the object of the Government was not to increase the commodity in question, but to diminish it; and though the policy of his hon. Friend would no doubt alter the channel of trade, still, upon every principle of political economy, it would increase the traffic. His hon. Friend said that it would be advisable to introduce free labour into our colonies, and thus put down the competition for slave labour; and no doubt the importation of free men into our colonies would have exactly the effect which the hon. Member supposed; but when he proposed that British subjects should be allowed to go to Africa, and go into the slave market to buy slaves, his hon. Friend only looked to one branch of the subject, because the objections to the slave trade did not relate merely to the nature of the trade between the West Indies and Africa, and the middle passage, but also to the sufferings occasioned by it in Africa itself. Every one who knew anything on the subject was aware that the wars, burnings, and murdering of women and children, which were perhaps the worst features, though the necessary consequences of the slave trade, would be more than ever encouraged by the plan of his hon. Friend, because the African chiefs would commit all these atrocities for the purpose of procuring slaves to sell.

MR. HUME wished to know whether the news had reached the noble Lord that 2,000 unfortunate slaves had been put to death by the chiefs in Africa because they could not be sold; and whether it would not have been better that they should be sold than put to death?

MR. HUTT entirely concurred in the views taken by the hon. Member for Montrose, and sincerely regretted to see his noble Friend committing himself to a system which he was sure must, before long, be condemned by the universal voice of the people. The noble Lord at the head of the Government had already expressed his strong opinion against the continuance of this system, and so had the right hon. Baronet the Member for Tamworth, and his lamented Friend the late Sir Fowell Buxton. It was impossible that a system leading to so much cruelty, while, at the same time, it drained the pockets of the people of a million sterling annually, could continue much longer. He trusted that in the next Parliament the House would entertain a full discussion upon the subject; and he hoped that even his noble Friend would then come over and join the cause of those who wished to do away for ever with the present expensive and useless system of blockade.

MR. BORTHWICK observed that the noble Lord had charged him with favouring the continuance of the slave trade; but he was sure that every word which he had addressed to the House tended only to show that the modes which the noble Lord was employing to put downthe trade, had increased all its atrocities. He was glad that the question had been brought under the consideration of the House, for he believed that some change in the manner of repressing the slave trade must necessarily soon take place.

Vote agreed to.

SUPPLY—MR. THOM.

On the question that 50,000*l.* be granted for the establishment at Hong-Kong,

SIR G. **STAUNTON** rose to call the attention of the House to the very strong and altogether peculiar claims of the family of the late Robert Thom, Esq., some time Consul at Ningpo, in China, and to the justice and expediency of making a suitable provision for them out of any sums that may be voted by this House for the China service. The hon. Gentleman observed, that as early as February last a meeting of Members of Parliament and others was held in London to consider the best mode of bringing this subject under the consideration of Her Majesty's Government. Under the instructions of that meeting he placed the papers explanatory of the object for which the meeting was held in the hands of the noble Lord at the head of the Government, and requested an interview to explain such circumstances as might not appear quite clear to him. In answer to his application, the secretary of the noble Lord informed him that in consequence of the great calls upon his time, it would be impossible for him to grant the interview. He (Sir G. Staunton) regretted this, as he believed an interview of a quarter of an hour's duration would have been sufficient to lay the matter more clearly before him than any statement he could now make. Mr. Thom had subsequently been appointed, with the lamented Mr. Morrison as interpreter to Sir H. Pottinger, to whom (unacquainted as Sir Henry was with the language) his services must have been most valuable. Mr. Thom had afterwards been appointed inspector of a district; and at last Sir H. Pottinger appointed him to the best situation he had to give—viz., the Consulship at Ningpo. But the seeds of death had been sown in his constitution by his great exertions as interpreter to Sir H. Pottinger, and he had died in a year and a half at his post. If he had survived a few years, he would probably have been able to have saved enough to mantain the family he had left behind him; but his wishes were shown by his will, in which he had divided his property between his infant children and the other members of his family. Sir Henry Pottinger had borne the highest testimony to the merits of Mr. Thom; and in a letter dated the 2nd December, 1846, said—

> "I have on every occasion borne the most willing and unqualified testimony to the devoted zeal with which Mr. Thom aided me in every branch of the momentous affairs that were intrusted to my guidance. He remained at his post until he unhappily fell a sacrifice to an insidious disease, which was brought on by his previous exertions. This affords the strongest proof of the high-minded and pure public feeling which formed the mainspring of his actions and the rule of his life. Had he been spared, I have no doubt but he would have continued to rise to further distinction. Few at his early age had done better service to their country, or died more respected and beloved."

It had been suggested that an application should be made on behalf of Mr. Thom's family to the royal bounty; but he (Sir G. Staunton) had chosen rather to lay the case before the favourable consideration of the House. It was not one which was likely to lead to further demands. Mr. Thom's merits were rare, and his services not such as were often called into requisition. He hoped, therefore, that Government would have no objection to allot a sufficient pension to the family of this useful and distinguished public servant.

DR. **BOWRING** assured the House that his hon. Friend had by no means exaggerated Mr. Thom's merits. Few had devoted themselves to studies so laborious and abstruse as he had; and he (Dr. Bowring) did think that his was a case in which special service deserved special attention and special reward.

VISCOUNT **PALMERSTON** knew how great an authority was his hon. Friend (Sir George Staunton) on all matters connected with China; and he could assure him that the merits and attainments of Mr. Thom were highly appreciated by all who were acquainted with the history of our late proceedings in China. But when the House was asked to establish a new precedent, it became the duty of those charged with the administration of the public funds to remind hon. Members that, however much they might be disposed to agree to the actual demand made, still, that that very acquiescence might lead to the preferment of other claims to an extent which had not been once contemplated by the supporters of the original demand themselves. As to consular pensions, there was no regulation by which a pension could be bestowed upon the surviving relatives of gentlemen who had performed them; and even in the Army and Navy, when an officer died in action, under the most brilliant circumstances, a pension could only be bestowed upon his widow, not upon such surviving relatives as had been left by Mr. Thom. It would not be possible for the House to accede to the proposal of the hon. Baronet without setting a precedent which in justice must be extended to the whole of the consular service. However painful, therefore, it might be to him, he could not advise the House to assent to the Motion of the hon. Baronet.

SIR GEORGE STAUNTON disclaimed the intention of asserting the right of Mr. Thom's family to consideration merely on the ground that Mr. Thom had been a Consul.

MR. HUME observed, that Mr. Thom had taken the situation, and left a situation in which he formerly had been, for the purpose of serving the public. The noble Lord was afraid of establishing a precedent; but it was not likely that any similar case could occur, and therefore there could be no danger of setting a precedent. He regretted to see the determination the noble Lord had come to; for it must be a damper to any man situated as Mr. Thom was; and he (Mr. Hume) wished the noble Lord would reconsider the claims of Mr. Thom's children.

DR. BOWRING called the attention of the Government to the anomalous position of the colony of Hong-Kong, dependent, as it appeared, both on the Colonial and Foreign Office. He had asked the Under Secretary of the Colonies respecting some decrees which had appeared in that colony, but he had no cognizance of them; and the noble Lord probably was in the same condition. He could not see how unity of action or legislation could be secured under such a system. It appeared, also, that the revenue was raised in a most objectionable manner, and that various monopolies had been constituted in the colony. He hoped that when the Committee which had been sitting on the subject for some weeks had made its report, a very great change would be the consequence.

MR. HUME begged to remind them that Dr. Bloomfield was receiving a pension, and that three daughters of a living painter (Sir M. Shee) got 200*l.* a year. He should be glad to know why, or who had recommended that pension. Had it been granted in consideration of the eminence of their father as an artist, he would be glad to have that eminence proved. He denied the reasons assigned, and thought that the claims of Mr. Thom's family should be considered, when they saw 200*l.* given to the children of a living artist, who never had deserved anything of the country, and when they also saw that a pension was given to Dr. Bloomfield—why or wherefore that learned gentleman got it, he did not know.

MR. LABOUCHERE said, that Mr. Thom's family might be very proper persons to receive a pension; but he (Mr. Labouchere) must protest against the manner in which the hon. Gentleman the Member for Montrose had taken occasion to speak of Sir M. Shee. With respect to his merits as an artist, he did not mean to pronounce an opinion. All he could say was, that Sir M. Shee had been chosen by those who could best judge of his merits to fill the situation of President of the Royal Academy; and he could not think that the man chosen to fill that situation by his brother artists could be a person devoid of merit.

Vote agreed to.

SUPPLY—NONCONFORMING MINISTERS (IRELAND).

On the question that 36,214*l.* be granted for Nonconforming and other Ministers (Ireland),

MR. WILLIAMS objected on principle to the practice of allocating the public money to the purposes of clergymen of any denomination whatsoever. It was full time that the House should adopt the principle of refusing to give money to the clergy of any church. He should most assuredly take the sense of the Committee on the vote.

MR. LABOUCHERE supported the vote, observing that it was designed for the especial benefit of a most respectable and valuable class of persons in Ireland, the Presbyterians, who numbered no less than 800,000 souls. They received the grant with feelings of extreme thankfulness, and would regard its withdrawal now, after the lapse of so many years, as an affront and an injury.

MR. HUME objected on principle to the vote. He could not understand on what pretext the right hon. Gentleman could refuse to endow the Catholic clergy of Ireland, if he thought it was fair and consistent with sound principle to endow the Presbyterians. If that was done in Ireland, they could not, with any consistency, refuse to pursue the same policy in England, and even in Scotland, where the Free Kirk should have to be enriched from the State as well as the Kirk. In justice, they should either endow one or all. He was for endowing none.

After a few words from Dr. Bowring, Mr. Aglionby, and Mr. Wakley, all of whom opposed the vote, the Committee divided:—Ayes 68; Noes 13: Majority 55.

List of the AYES.

Aglionby, H. A.
Anson, hon. Col.
Arkwright, G.
Arundel and Surrey, Earl of
Bankes, G.
Barkly, H.
Baring, rt. hon. F. T.
Baring, T.
Bellew, R. M.
Bennet, P.
Bentinck, Lord G.
Berkeley, hon. Capt.
Bodkin, W. H.
Borthwick, P.
Buller, C.
Burke, T. J.
Burrell, Sir C. M.
Byng, rt. hon. G. S.
Colville, C. R.
Courtenay, Lord
Craig, W. G.
Dawson, hon. T. V.
Dickinson, F. H.
Dundas, Adm.
Dundas, Sir D.
Ebrington, Visct.
Ferguson, Sir R. A.
Fox, C. R.
Grey, rt. hon. Sir G.
Grogan, E.
Hamilton, G. A.
Hatton, Capt. V.
Hawes, B.
Hayes, Sir E.
Hayter, W. G.
Henley, J. W.
Howard, hon. C. W. G.
Howard, hon. E. G. G.
Hudson, G.
Inglis, Sir R. H.
Jervis, Sir J.
Jolliffe, Sir W. G. H.
Labouchere, rt. hon. H.
Law, hon. C. E.
Lygon, hon. G.
Macaulay, rt. hn. T. B.
Maule, rt. hon. F.
Monahan, J. H.
Morpeth, Visct.
Mostyn, hon. E. M. L.
Neeld, J.
Newdegate, C. N.
Ogle, S. C. H.
Paget, Lord A.
Palmerston, Visct.
Parker, J.
Pinney, W.
Russell, Lord J.
Rutherfurd, A.
Sheil, rt. hon. R. L.
Sheridan, R. B.
Somerville, Sir W. M.
Spooner, R.
Strutt, rt. hon. E.
Tancred, H. W.
Ward, H. G.
Watson, W. H.
Wood, rt. hon. Sir C.

TELLERS.

Tufnell, H.
Rich, H.

List of the NOES.

Brotherton, J.
Brown, W.
Duncan, G.
Hindley, C.
Hume, J.
Lowther, hon. Col.
Osborne, R.
Perfect, R.
Rice, E. R.
Talbot, C. R. M.
Thornely, T.
Trelawny, J. S.
Wakley, T.

TELLERS.

Bowring, Dr.
Williams, W.

Vote agreed to.

SUPPLY—CIVIL CONTINGENCIES.

On the question, that 50,000*l.* be granted to complete the sum necessary to defray the charge of Civil Contingencies.

Mr. WILLIAMS said, he had strong objections to several of the items in this vote. One item was 4,000*l.* to pay for the outfit of the British Ambassador at Paris; and he could not see how such a sum was to be required when a mansion and every other requisite were already provided. He hoped some explanation would be afforded on this point, and also as to the mode in which the sums advanced to other public officers were apportioned; thus he found that one Gentleman, Mr. D. F. O'Leary, received 936*l.* reimbursement of expenses incurred by him in proceeding with his family to Bogota, on his appointment as Her Majesty's Chargé d'Affaires at New Granada; while Mr. Ball, the late Chargé d'Affaires at Buenos Ayres, received for his passage from Monte Video to this country, on board Her Majesty's ship *Apollo*, 112*l.* 15*s.*; and Mr. Turner, the Chargé d'Affaires who succeeded him, together with the Secretary of the French legation there, cost the country 187*l.* for being conveyed the same journey on board another ship. Another case still more extraordinary was the cost of the passage of Consul Layton to China, amounting to 301*l.* 16*s.* 10*d.* Considerable charges were also made on account of excursions made by six bishops; and he was sure his hon. Friend the Member for Salford (Mr. Brotherton) would feel gratified in having an opportunity to record his vote against the expenditure of the public money for such purposes. The excursions of the Bishop of Gibraltar for the year cost the country 109*l.* 12*s.*; of the Bishop of Newfoundland, 120*l*; the Bishop of Antigua, 62*l.* The entertainment of the Bishop of Jamaica and his chaplain on board the *Hermes* cost 100*l.*; the entertainment of the Bishop of Barbadoes and suite, in Her Majesty's sloop *Hyacinth*, cost 70*l.*; and the charge for the late Bishop of Jerusalem and family, in going from Jaffa to Beyrout in the *Warspite*, was 60*l.* Seeing that all the Protestants in Jerusalem under the bishop's care only amounted to twenty-seven persons, more than half of whom were his Lordship's family and servants, he could easily have found time for making pleasurable excursions. He (Mr. Williams) did not object to his having done so; but he thought the expense ought to have come out of his own pocket. He had also to object to the item of 1,079*l.* for robes, badges, and collars, for knights of the several orders, as he thought the expenses ought to be borne by the knights themselves. He hoped some explanation would be afforded on those matters; and on others, such as chains and badges for the marshal, and 113*l.* expenses for watermen's badges and attendance of the bargemaster and watermen at the House of Lords. He thought, if their Lordships wanted watermen, they ought to have paid for their services themselves. He should object likewise to the very large sums charged for the travelling expenses of foreign princes and other personages in this country; and he thought in all these matters it was too bad to make the overworked operatives of England contribute such immense sums. The hon. Member concluded by moving a reduction to the amount of 6,104*l.* 16*s.* 7*d.* in the vote.

MR. BANKES said, it was impossible for the House to go into the vote at that hour, as the hon. Member had gone into so many details, and asked so many questions; and he, therefore, would move that the Chairman report progress.

VISCOUNT PALMERSTON said, it was absolutely necessary to keep up the dignity of our Ambassadors, and that their scale of expenditure was lower than that allowed by France, Spain, and Austria.

Amendment withdrawn.

Vote agreed to.

House resumed. Resolutions to be reported.

COMPENSATION FOR DAMAGES (IRELAND) BILL.

The Compensation for Damages (Ireland) Bill was reported. Amendments agreed to.

MR. G. A. HAMILTON said, that in moving that the words "or tithe" be struck out in the 6th Clause, he would appeal to the justice of Her Majesty's Government and the House. The injustice of which he complained would affect equally the clergy and the owners of ecclesiastical, and laymen who were owners of impropriate, rent charge. The case was shortly this: under the Labour-rate Act of last Session, the compensation for damage to land taken for the purposes of the Act was placed upon the same footing as damages for land taken by grand-jury presentment for the ordinary roads or other purposes; that is to say, the amount of the compensation was to be presented and levied from the occupiers of land with the ordinary county cess. But, considering that the proprietors might be benefited equally with the occupiers by these new roads, it was proposed in this Bill—and he thought justly—that the compensation for damage should be divided between landlord and tenant. So far he thought the Bill just and reasonable; but it went further—the introduction of the words which he moved should be expunged would have the effect of subjecting the owner of tithe rent charge to the full poundage of the compensation for damages for the land taken for these public works. Now, as he had already stated, tithe rent charge in Ireland was not assessable for any public works; and the effect of these words would be to introduce a new description of property and lessors, and make those chargeable who neither directly nor indirectly were heretofore chargeable for such purposes: this he thought unjust, and especially in a Bill brought in at the very end of the Session. He would just ask the House to consider with what peculiar hardship this would press upon the clergy. He would ask them to consider the case of the tithe rent charge as it already is made to contribute to the poor rates. In all other property the rate forms a deduction from the valuation, so that when you have a rate of 10*s.* in the pound, the valuation is reduced 50 per cent; but, while the valuation of all other property is thus reduced, the valuation of tithe rent charge remains the same. Suppose the case of land on the one hand, and tithe rent charge on the other, worth, respectively, 100*l.* a year antecedently to a rate of 10*s.* in the pound, the rate itself being a deduction from the valuation of the land; the valuation is reduced from 100*l.* to 50*l.*, and the amount levied on the land, at 10*s.* in the pound, is 25*l.*; but the landlord is empowered to deduct the full poundage of 10*s.* in the pound for every pound he pays to the clergyman; and the deduction he therefore makes will be 50*l.*, so that the clergyman on the rent charge of 100*l.* a year will contribute, not to the poor, but to the landlord, 50*l.*, while the occupier of a farm worth the same amount will contribute but 25*l.*, one half of which he afterwards deducts from his landlord. Let the House just consider the effect of this upon the smaller livings in Ireland. The effect of the increased poor rate, with the labour rate and compensation superadded, would be ruinous to many of the clergy. The income of every clergyman in Ireland, which is at present 100*l.* a year, would be reduced by a 10*s.* rate to 50*l.*; while the income of every farmer or landowner of the same amount will be reduced to but 75*l.*, with the power of deducting one half the 25*l.* from his landlord, where the occupier is a tenant, so that the tenant's income will be reduced but 12*l.* 10*s.*, the landlord's 12*l.* 10*s.*, and the clergyman's 50*l.* Now he would put it to the House, was this fair or reasonable? He would not, at so late an hour, comment in detail upon the other hardships to which the clergy were subjected in respect of the rating under the poor law. His right hon. Friend and Colleague had recently stated them to the House, and they had been admitted by Her Majesty's Government. The clergy had to pay ecclesiastical tax upon the amount deducted by the landlord for poor rate. They will have to pay ecclesiastical tax upon the sum deducted for compensation under the Bill, and for the labour rate, if the words to which he objected remained, while at the same time they will have to pay poor rate and labour rate for the sums paid by them to the Ecclesiastical Commissioners. He could not believe the House would sanction this injustice; and he would conclude by moving that the words "or tithe" be omitted in the sixth clause of the Bill.

Mr. MONAHAN said, Her Majesty's Government could not consent to the omission of those words. The fact was, it was the object of the Bill to place the compensation for damage for land in the same position as the labour rate. The Act of the last Session placed the levy of the labour rate in the same position as the poor rate, enacting that all parties rateable to or contributing to the poor rate, should be liable to the labour rate; and, although there was no provision in the Act authorizing the deduction to be made from rent charge, it was the intention of the Legislature that tithe rent charge, as well as other property, should be liable to the labour rate. The words he had introduced into the Bill would remove all ambiguity on the subject, and prevent litigation.

Mr. GROGAN stated, that the admission of the hon. and learned Gentleman completely established the case of his hon. Friend. The Solicitor General had admitted there was an ambiguity. No one knew better than he that where there is an ambiguity as to taxation, the principle of law is that parties are not liable, and therefore it followed that this Bill will make those who are at present exempt liable to this taxation. Under the poor law the clergy were liable to double rates as compared with the proprietor or occupier, the tenant contributing one half the poundage, the landlord one half, and the landlord deducting the whole from the clergyman; and his hon. Friend had adduced this an an additional reason why the clergy should not be rendered liable to this assessment besides. He would cordially support the Motion.

On the question that the words "or tithe" stand part of the Bill, the House divided:—Ayes 38; Noes 9; Majority 29.

List of the Ayes.

Arundel and Surrey, Earl of
Bellew, R. M.
Berkeley, hon. Capt.
Bodkin, W. H.
Brotherton, J.
Brown, W.
Buller, C.
Craig, W. G.
Dickinson, F. H.
Dundas, Adm.
Dundas, Sir D.
Greene, T.
Grey, rt. hon. Sir G.
Hallyburton, Ld. J.F.G.
Hastie, A.
Hawes, B.
Howard, hon. E. G. G.
Jervis, Sir J.
Labouchere, rt. hon. H.
Maule, rt. hon. F.
Moffatt, G.
Monahan, J. H.
Morpeth, Visct.
Mostyn, hon. E. M. L.
Napier, Sir C.
Paget, Lord A.
Palmerston, Visct.
Pechell, Capt.
Rich, H.
Russell, Lord J.
Rutherfurd, A.
Somerville, Sir W. M.
Strutt, rt. hon. E.
Talbot, C. R. M.
Thornely, T.
Wakley, T.
Watson, W. H.
Wood, rt. hon. Sir C.

TELLERS.

Tufnell, H.
Parker, J.

List of the Noes.

Bankes, G.
Bennet, P.
Christopher, R. A.
Colville, C. R.
Ferguson, Sir R. A,
Hayes, Sir E.
Jolliffe, Sir W. G. H.
Newdegate, C. N.
Spooner, R.

TELLERS.

Hamilton, G. A.
Grogan, E.

Bill to be read a second time.

House adjourned at half-past One o'clock.

HOUSE OF COMMONS,

Saturday, July 10, 1847.

Minutes.] Public Bills.—1° Militia Pay; Commons Inclosure (No. 3).

2° Destitute Persons (Ireland, No. 3); Public Works and Drainage (Ireland).

Reported.—Navigation (No. 2); Herring Fishery (Scotland).

3° and passed:—Compensation for Damages (Ireland); Polling at Elections (Ireland).

Petition Presented. By Mr. Divett, from Catholic Clergymen of Poole, for Alteration of the Proposed Plan of Education.

NAVIGATION (No. 2) BILL.

The Navigation (No. 2) Bill Reported.

Lord J. MANNERS moved the insertion of a clause in the Bill, suspending the stamp duties on policies of insurance effected on grain-laden British ships till the 1st day of March, 1848. This, he said, was merely carrying out the principle on which the measure for suspending the Navigation Laws was founded. He should base his Motion on three considerations: first, the exceedingly objectionable nature of the tax which he proposed to suspend; second, that the suspension was only an act of justice to the English shipowner; and, third, that it was consistent with the ground taken up by the noble Lord at the head of the Government when proposing the suspension of the Navigation Laws to the House. He thought that no Gentleman at all personally conversant with the operation of the tax would deny that it was most objectionable in principle, operating entirely as a tax on prudence and foresight. With respect to his second reason, that of justice to the English shipowner, it was clear that if the protection provided by law against the competition of foreigners were suspended, so ought these imposts, which press upon the English shipowners, but which are not paid by his foreign competitor. He might be told that the tax was small, and he admitted it; still if it constituted a burden from which foreign shipowners were free, the English shipowner was entitled to be relieved from it, small as it might be. It was well known that at New York, Hamburgh, Amsterdam, and he believed in every great commercial country, save England, duties on insurance did not exist, or were merely nominal. In this country the principle which guided the charge was that of a sliding-scale: the charge rose in proportion to the premium which was paid; and this added to the objectionable nature of the tax, by inducing shipowners to run risks which they ought not, as prudent men, to do. It was well known, too, that the tax weighed heaviest on corn-laden ships. His third proposition was, that the suspension of the stamp duty on insurance was in unison with the views of the noble Lord when moving the suspension of the Navigation Laws. On that occasion the noble Lord stated that he was aware that no great practical good would arise out of his proposal; but he thought that under the circumstances Parliament ought to remove every possible difficulty that could operate in any way to the prevention of corn being brought to this country. He (Lord J. Manners) would ask the noble Lord to carry out his own principle. He admitted that the boon was small; still it was only just that the English shipowner should have the advantage of it, so long as he was exposed to competition with those who paid no impost of the kind.

Clause brought up and read a first time.

On the question that it be read a second time,

The CHANCELLOR OF THE EXCHEQUER said, that it would be inconvenient for him to go into the question of the policy of this tax at a time when the clauses of a Bill of a very different character were under consideration. It was not so much the amount of duty that stood in the way, as the inconvenience that would arise in making such distinctions. He did not think that the same reasons existed as for removing the duty on corn, or suspending the Navigation Laws; and even if the proposition was adopted, but a very small amount of, if any, good could be done by it. The object of the suspension of the Navigation Laws was to enable foreign ships laden with food to come to this country, although the cargo might not be the produce of the country to which they belonged. He admitted that the Suspension Act had not had an extensive operation, and that but a small number of ships had arrived under it; but still it was advisable to continue, at least for a time, a measure of this kind. There was, however, another objection to the clause on a technical point. It was a positive Order of the House that every resolution relative to trade, religion, or taxation, should originate in a Committee of the whole House.

MR. SPEAKER expressed his concurrence in this view of the case.

MR. HUME thought that it was not too late to go into Committee, and adopt a relution to the effect of the clause proposed by the noble Lord. It was most desirable, on every consideration, that every facility should be given to the importation of corn, so that the public might obtain it as cheaply as possible. This was a tax on prudence, and therefore was of the most objectionable nature, and should be got rid of altogether. It would be much better if the noble Lord had made a general proposition on the subject, instead of confining himself to such a very limited case.

MR. FORSTER said, that having brought the subject of the duties on marine insurance before the House in a former Session, on a Motion for its repeal, in which he was defeated, he might be expected fully to agree with the noble Lord in the principle of his Motion, because he thought taxation could not exist in a more objectionable form than as a tax on marine insurance; and the same objection applied to the tax on life and fire assurance. But he could not support the noble Lord in the limited interference proposed by his Motion. He thought it would be of little benefit either to the shipowner or the public. It would be better to leave the subject until it could be fully gone into in a future Session, when, upon discussion, he was sure the mischievous nature of this system of taxation would be made manifest to the House and the Government.

Mr. **THORNELY** concurred in the opinion as to the impolicy of this tax; but if the noble Lord carried his point only to the extent he proposed, it might lead to some practical inconvenience.

Lord **JOHN MANNERS** regretted the absence of many of those who entertained the same opinion as himself on the subject. No one defended the tax on principle, and the Chancellor of the Exchequer had only met his Motion by a mere matter of form.

Motion withdrawn.

Bill to be read a Third Time.

RECOVERY OF PUBLIC MONIES (IRELAND) BILL.

House in Committee on the Recovery of Public Monies (Ireland) Bill.

On Clause 4,

Viscount **CLEMENTS** said, as that was possibly the last occasion that he should have an opportunity of addressing the House, he felt bound to protest against the conduct of the Government and the Legislature with regard to Ireland. The Bill before the House was a most objectionable specimen of paltry and miserable legislation. He must denounce on the part of Ireland the cruel injustice of the attempt on the part of the Government to recover the repayment of a single shilling of the loan which had been advanced. Could anything be more cruel and wretched than the condition of the people of Ireland, which was getting worse from day to day? and yet the Government and that House were almost apathetic on the subject. He would tell them to try as much as they pleased—to use all their power even to the point of the bayonet, to enforce this Bill, and they would not succeed in enforcing the repayment of this money. He must protest in the name of his country against the cruelty and hardheartedness manifested towards her by that House and the Government. This was only another specimen of the gross injustice with which Ireland was treated.

Mr. **G. A. HAMILTON** expressed his deep regret at the language which had fallen from the noble Lord, and begged to assure the House that the opinions they had just heard expressed were not extensively entertained in Ireland. He believed that there was no general indisposition to the repayment of the loan, although in some parts of the country where the extremest distress prevailed, some difficulty might be found to exist.

Mr. **HUME** was utterly astonished at the language of the noble Lord. He expected the noble Lord to express thankfulness and gratitude for the enormous sacrifices which this country had been called upon to make to relieve the distress of Ireland. There was no inducement to make any grant for the relief of distress, when the noble Lord came forward in the way in which he did, and denounced this country as having been guilty of cruelty and indifference to Ireland. He feared that the present and future Governments would be compelled to suspend all future assistance to Ireland, however great might be the distress and destitution there, if such notions as those entertained by the noble Lord were found to exist there. If the people of England saw that only ingratitude followed the great sacrifices which this country had made, the noble Lord might depend upon it they would not consent to have heavy burdens imposed upon them for such a purpose. It was well the people of Ireland should know that a strong feeling had grown up in this country, which was dailing increasing, that Ireland did not pay a due proportion of the taxation of the country.

Mr. **POULETT SCROPE** protested against taxes to an enormous amount being imposed on the labouring classes of this country, to raise funds to give relief to the Irish landlords. The greatest evils had already arisen from the mismanagement of the relief funds; and the most extensive system of jobbing had been carried on on the part of the landlords in the expenditure of that money from their believing that they would not be called upon to repay this loan. In all such loans the landlords should have been specifically informed by the Government what they had to pay, and that to the amount stated the repayment would be enforced.

SIR JAMES GRAHAM expressed his concurrence in what had fallen from his hon. Friend the Member for Montrose with respect to the speech of the noble Lord. After what had occurred during the Session, and after the great sacrifices that had been made by the people of England for the relief of distress in Ireland, it was necessary that they should come to some clear and distinct understanding as to what should be done upon the subject of these loans. It should be known to the landlords of Ireland that the strictest punctuality would be observed in enforcing the repayment of the several instalments of that portion of the money advanced to them which was to be repaid in conformity with this and other legislative measures. He had heard with great pleasure, on a former occasion, the statement of the right hon. Gentleman the Chancellor of the Exchequer. It was well that the people of England, as well as the people of Ireland, should know what had been done, and what was proposed to be done, towards alleviating that unhappy calamity with which it had pleased Almighty God to afflict Ireland. He understood from the statement of the Chancellor of the Exchequer that upwards of 9,000,000*l.* of the public money had been advanced within the last twelve or fourteen months to relieve the distress existing in Ireland. It was now proposed, by an arrangement which he regarded as most just, that of the 9,000,000*l.* so advanced 4,500,000*l.* should be considered as a free grant, and all claim for repayment cast aside; but the remainder was to be repaid by instalments, extending over a long period, from a charge on the land. He had heard the speech of the noble Lord with the greatest pain; but he had heard with satisfaction the few observations of the hon. Member for the University of Dublin (Mr. Hamilton). In the repayments he trusted the utmost good faith would be observed by Ireland, and that there would be no attempt to escape from the payment of the several instalments. It could not, however, be denied, that in some parts of the country, in consequence of the prevalence of extreme distress, there would be found great difficulty in enforcing the immediate and regular repayments of the instalments becoming due; therefore he thought that it would be expedient to give some discretionary power to the Government as to the mode and amount of the repayments to be made from such districts. It was, however, the duty of Her Majesty's Government to call for the repayment of the several instalments, and, if necessary, to enforce it: payment should be made; and if there were any exceptions for a time, they should be made by the responsible servants of the Crown. Disastrous circumstances might arise in some instances, so as to render the repayment most difficult, if not almost impossible; and he was sure that Parliament in such cases would not go to the extreme in enforcing repayment. There should be immediate steps taken to make arrangements as to the levying the rates on the land for such repayments.

VISCOUNT CLEMENTS thought, after what had passed, that it was his duty to say a few words in addition and explanation. He begged it to be understood that, so far as the subscribers in England were concerned, he yielded to no gentleman in or out of the House in the amount of heartfelt gratitude. He did not at all deny that Ireland owed a great debt to the English public; but he had not been speaking of the English public, or thinking of its subscriptions, when he addressed the Committee. He had been speaking only of the Legislature, and the Legislature he condemned—Her Majesty's Government he condemned. He said it with sorrow; but he was bound to warn them that the course being pursued by Her Majesty's Government was perilous in the last degree. They might as well, meeting a beggar in the street, bestow alms and say, "I expect you will repay me," as to advance money to Ireland, and then ask her to refund it, as if it were a loan. The Government knew very well that Ireland could not pay them; they well knew it was out of the power of many districts in the country to repay what had been advanced. Why, one-half of the land was not cropped, and, in the name of God, where would they look for payment? They could not get it out of the ground; for the ground was exhausted, and the people had devoured the very soil. The people of Ireland were starving. Let it not be supposed that he wished to blink the question; they starved now, and they would starve next winter. Of this he had warned the House long ago; and with what decency could they pass such a Bill? If they attempted to do in England that which they scrupled not to do in Ireland, the Government would be hurled from their seats.

The CHANCELLOR OF THE EXCHEQUER had heard with the deepest regret the first as well as the last speech of the noble Lord. A more inopportune or less appropriate moment for charging the Government with hardheartedness and injustice to Ireland could not have been chosen. The very Bill that was now opposed, and in which the noble Lord had looked for ground for his attack, was introduced for the purpose of freeing Ireland from the incumbrance of one-half of the loan granted by the Legislature for the relief of the distresses of the people. If this Bill were rejected, Ireland would, in fact, be charged with the repayment of the whole. That was the law as it now stood; and certainly, therefore, he could not see why the noble Lord had chosen this particular occasion for asserting a want of consideration in the Government for the circumstances of the sister kingdom. When the intentions of the Government were first announced, there had been given no indication of an unwillingness to meet the obligation. When the pressure of the calamity was most severely felt, the gentry and landlords of Ireland said, " Tax us as much you will, but for God's sake save the people from starvation." And the Government had obeyed that call, and had saved the people. The Government had been successful, as irresistible evidence demonstrated, in checking the progress of famine and mortality; and he firmly believed that the measures adopted by the Legislature, on the recommendation of the Government, had, under the blessing of Heaven, preserved thousands of the peasants of Ireland from famine and death. This, indeed, was the best repayment the Government had to look for as the result of their exertions. They had done freely that which they had believed it their duty to do; and they sought for a reward, not so much from the unhesitating gratitude of those whom they had benefited, as the approval of their own consciences. He entirely agreed with the right hon. Gentleman opposite (Sir J. Graham), that one-half was not too much to expect to be repaid; the repayment of that sum would be enforced according to circumstances, and where it seemed just. [Sir J. Graham: And then it is only by instalments.] That was so. There payment, instead of being demanded at once, would be spread over a period of ten years. There would not even be any presentments made until the next spring assizes, and the first instalment would not be paid over to the Paymaster of the Civil Service of Ireland this time next year. The time and mode of repayment, therefore, had been determined in such a manner as to press with as little weight as possible on Ireland; and, unless the people meant to repudiate repayment altogether, he knew not what more favourable terms they could have asked for. The burdens this year would be exceedingly light; the instalments would amount only to a small sum; that repayment would be demanded, and he sincerely believed that the demand would, on the whole, be successfully met. He admitted that in various districts there would be many obstacles; and he even feared that, great as the difficulties of the Government had hitherto been, they would be as nothing compared with the difficulties likely to be encountered in the course of the next autumn. The noble Lord seemed to give them no credit for knowledge of the condition of Ireland, and had spoken as if they exercised no foresight. The Government, however, knew sufficiently well that it was easy to spend money, easy to lend money, easier to give money, in Ireland; the only difficulty as they were aware, was in enforcing repayment. All this the Government had learned; but he trusted that the good feeling of the great majority of the population would render the repayment much easier than the noble Lord supposed possible. On the western coast of Ireland it would, at this moment, be altogether impossible, with due consideration to the circumstances and the distress, to procure any sum of money at all; but then the House would remember that nothing would be expected until the autumn of next year, and that in the meantime the only and single charge on the people would be the rates which would be levied for the maintenance of the poor. This was the only burden proposed to be imposed until the next autumn; and if the Irish proprietors were not willing to maintain their own poor on the principles recognised in England and Scotland, it was not to be supposed that property in Ireland could for ever be exempted, or that the people of England would continue to endure taxation for the pauperism of another country. If that was what the noble Lord expected, he would find himself sorely disappointed. The people of this country had undergone sacrifices enough; and though, were still greater sufferings than those yet witnessed to arise, he did not mean to say that England and Scotland would not again come forward, it would, nevertheless, be necessary that their exertions should be met in a new and a better spirit. He could not express too strongly the regret with which he had heard the expressions made use of by the noble Lord; but, at the same time, he was bound to acknowledge the gratification with which he had listened to the declarations, on other occasions, of other Irish Members, that they would exert themselves to do all in their power to satisfy the expectations of the people of England.

Mr. TRELAWNY said, that the language of the noble Lord was most monstrous, after what had been done for Ireland by the Government and the House. The noble Lord said, that the people of Ireland could not repay the loan: he wished, therefore, to look at what really was the state of things in Ireland. It appeared that the assessed rental was nearly 14,000,000*l.*, and he had just been told that the net rental amounted to 17,000,000*l.*; but this might be an exaggeration; but take the rental at only 11,000,000*l.*, then the value of the fee-simple of the land of Ireland must be between 100,000,000*l.* and 200,000,000*l.* After what he had heard from the noble Lord, he should oppose this Bill to the utmost. He did not see why they should be called to give so much to the Irish landlords. Let them, if they pleased, have Ireland for the Irish. It was the duty of the House to enforce the repayment of the loan; and if no other means were available, let them sell the land and the landlords together. There were at the present time a great number of towns in the west of England in a state of the greatest distress: it was only in common fairness that there should be a grant to those districts from Ireland. The people in the districts he alluded to had borne their sufferings very well; and if it was a case for spending the public money, the claim was as strong for the west of England as for many parts of Ireland. After all that had been done—although he did not agree in all that had been done by the Government, and more especially those propositions for railways, but he admitted their situation was very difficult—the ingratitude of the noble Lord was most monstrous.

Mr. WILSON PATTEN could not advise the Government to form their anticipations of the future in accordance with the speech of the noble Lord, because he did not believe that the noble Lord on this occasion had fairly represented the feelings of any one class of the people of Ireland. Did he consider that this was the case, he would at once offer his strenuous opposition to the Bill. Portions of this country were now absolutely overwhelmed with inundations of Irish paupers; and the hard-working artisans of Lancashire were compelled to maintain them since they had been deserted by the proprietors of the land at home. The county which he had the honour to represent was burdened to a degree of which the noble Lord had no conception; 50,000 or 70,000 Irish poor were sustained entirely by the poor-rates of the one town of Liverpool; and was it to be supposed that they would stand by and see a grant of 4,500,000*l.* made to Ireland without even the terms of common acknowledgment being offered in return by Irish representatives? The speech of the noble Lord would have the worst effect, for it would throw impediments in the way of any repayment; and it was only right to say, that no class more than that to which the noble Lord belonged had thrown greater obstacles in the way of bringing about a better state of things on the other side of the Channel. The people of this country had come to the conclusion that Parliament had been over-liberal; and they expected, at least, that the benefit conferred would be acknowledged in that practical manner which the Bill before the House would enforce. The noble Lord could not have done greater detriment to himself and to his countrymen than by this speech.

Viscount CLEMENTS begged then to add a little more; and he would say that if there was one part of the globe which especially deserved to be taxed for the relief of the Irish people, it was Liverpool. Had not Liverpool profited by the distresses of Ireland? He should like to see a calculation of profit and loss—how much Liverpool had paid to Irish poor, and how much she had gained from the Irish trade, and by Irish distress. There was not a single country town in all Ireland, the shopkeepers of which did not go to Liverpool to buy their stocks. Look, then, at the provision trade which flowed into Liverpool. Look at the enormous number of emigrants that crossed to Liverpool to ship for America; and let it be remembered that they spent large sums of money in that town. Were all these exchanges made without profits? Liverpool, in fact, that gained everything, might be looked upon as the capital of Ireland, and the great mart of such trade as Ireland had left to her. Liverpool, then, was justly burdened for the maintenance of some portion of the poor of Ireland; and she was as much bound to contribute to their support as any corner of Ireland.

MR. NEWDEGATE looked upon it as a fortunate circumstance that the policy of England was not guided by mere feeling. Anything more unjust or more irritating to the English people than the speeches of the noble Lord, in reference to this Bill, it would be impossible to conceive. He was one of those who considered that the conduct of the Government with respect to Ireland had not been judicious; but he saw no cause for complaint in the course now proposed. Ireland having depended in the recent calamity upon England, the assertion that "Ireland was for the Irish" would cut in two ways. They could not expect that England would make all the advances, and that Ireland should be permitted to repudiate the whole of the debt; and if the noble Lord echoed, as he now did, such a sentiment, he could only expect that advantage would be taken of an injudicious speech to create bad feelings, and arouse slumbering animosities among the people of the two countries. It was asked if Liverpool had not profited? In what way? Had not Liverpool become diseased by the influx of the unfortunate Irish poor? Had not her own inhabitants perished from the contagion? Had not her rates been trebled? And did the noble Lord pretend to set against these misfortunes the casual profits that might have accrued to individuals in the operations of trade? All that the Government had done deserved, at least, that for the future Ireland should be secure, for he knew not in what other way than that attempted the English people could evince their sympathy with Ireland. The noble Lord, however, appeared to suppose that no benefit had been conferred, and that no return was required; and, forgetful of the desirability of insuring a profitable result from the calamity, he created, or rather endeavoured to create, in the bosoms of his countrymen feelings of hatred towards Great Britain. [Viscount CLEMENTS: No!] The noble Lord very likely had no such intention, but he could not make such speeches and avoid that consequence. He trusted, however, that the fact would not be forgotten, that if Ireland was unable to meet her engagements, the misfortune was mainly attributable to the wretched condition to which our past misrule had reduced her; and when hon. Gentlemen in that House called on the Government to sell the property of Ireland, and to sacrifice the landlords with it, they might very fairly be asked if they were not in some degree responsible for that unhappy necessity? He greatly regretted the tone the debate had taken. He hoped the Bill would be passed, inasmuch as the object of an Imperial Government should always be to make the resources of Ireland available to the maintenance of her own population.

MR. W. BROWN was glad to find the noble Lord (Lord Clements) enjoyed the undivided honour in that House of finding fault with the benevolence of the people of England and the exertions of the Government. The noble Lord was very ungrateful for the asylum afforded in Liverpool to those of the Irish poor who would have starved by the roadside in their own country. Had not Liverpool received the discarded paupers with open arms? And as to the benefits which Liverpool had derived from the distress, it would be well to remember that from 7,000 to 10,000 of the inhabitants were at this moment reported to be suffering from typhus fever. They were well enough disposed to relieve the afflicted and the hungry, but they could not neglect the cost; and it was rather too bad to be told that they derived all the advantage, and that they ought to pay the whole of the loan granted to Ireland herself. He hoped that the noble Lord would reconsider what he had said, and that, after mature reflection, he would acknowledge he had done a gross injustice to the Government and to the people of England. The Government could not be censured apart from the people; the Government had had the sanction of the great mass of the people in everything they had done. There was not a single man who would regret the national liberality; but, on the other hand, there was not one who would not insist on Ireland paying her debts honestly.

MR. BROTHERTON perfectly agreed with what had fallen from the hon. Member for North Lancashire as to the alarming state of that county. When the noble Lord talked of the debt of gratitude due from Liverpool to Ireland, he really could not tell what he meant. The Irish were more indebted to that part of the kingdom than the noble Lord was aware. He had often found in private life that they must not expect a return of gratitude for deeds of kindness, as their motives were misunderstood; and so, according to the noble

Lord, was to be the case in public matters. This country had done great credit to herself by what she had done for the assistance of Ireland; and he sincerely hoped that the money advanced would be gracefully and punctually repaid. If the present distress continued, and such taunts and language as those they had heard that night from the noble Lord were repeated, there would be great difficulty in getting further relief from the people of England.

Mr. TRELAWNY observed, that some misunderstanding seemed to have prevailed as to an observation which had fallen from him. He had said that he would sell the Irish land and the Irish landlords; and he was informed this had given offence. He had merely intended this as a jocose effusion, and as it had given pain, he would withdraw it. He thought the property of Ireland should be made to pay for these charges.

Sir ROBERT FERGUSON could assure the House that the sentiments expressed by the noble Lord did not coincide with the feelings entertained by the Irish people. He could refer to several instances where advances had been made to the landlords in various parts of Ireland, and these had been paid with great pleasure and punctuality. If the Chancellor of the Exchequer would only make exceptions in most extraordinary cases of distress in the poorest district, he would get repaid in all other parts of the country. As far as he knew and believed, there was every desire on the part of the Irish people to repay this loan.

The Earl of ARUNDEL and SURREY could make every allowance for the feelings of the noble Lord in respect to this Bill. He was cognizant of the good which the noble Lord had done in the neighbourhood of his own property; but he ought to estimate more correctly the sacrifices submitted to by England, and not question the good intentions of the Government, even though he concluded their measures had been erroneous. The noble Lord was not the only person who held the Government up to reproof for their conduct towards Ireland; the Irish newspapers had attacked them; and he was sorry to say that some of the Roman Catholic clergy had given utterance to expressions which would be viewed as unchristianlike and uncharitable. He did not forget the feeling which would be excited by scenes of constant distress, and the knowledge of the inadequate means which this country itself possessed of affording remedy or alleviation; but it was impossible not to feel that the language used by the noble Lord was not that which England deserved to have applied to her generosity.

Viscount CLEMENTS had never uttered a word against the liberality of the people of this country; his charge was only against the Legislature and the Government.

Lord WILLIAM PAULETT said, that they had only heard that night the repetition of the cuckoo cry which had been raised for the last twenty-five years of justice to Ireland. The language and conduct of the noble Lord was most monstrous after what the Parliament had done for Ireland in the present Session.

Mr. P. AINSWORTH also protested against the language of the noble Lord towards Liverpool and the manufacturing districts. In Liverpool, Manchester, Bolton, and other places, great distress existed among the inhabitants; but in addition to providing for their own poor, they were now further taxed to a large amount to maintain great numbers of Irish paupers. The people of England very generally said that Ireland should be compelled to provide for its own poor. He concurred in opinion with the Government, that after what had been done from time to time for the people of Ireland, they should learn that while England was liberal, she should be just.

Clause agreed to.

On the last clause being put,

Mr. P. SCROPE: I wish to make a remark on the exceptional cases referred to by the Chancellor of the Exchequer, in which the repayment of those sums charged on the land may not be possible from the poverty of the district. It is evident that this danger will arise from such a declaration, that a very great number of districts will hope and expect to be considered exceptional, and therefore absolved from payment. But, more than this, I wish to remark, that the districts alluded to, where the greatest apparent poverty and inability to support their population exists, are precisely those in which there exists the greatest real resources for that purpose, if properly developed; and that it is only from the apathy, and improvidence, and neglect of the natural resources of their properties on the part of the owners of the soil, which has caused the apparent poverty, and the seeming inadequacy of the land, when measured only by the fallacious test of its net rental, to maintain its population. Take, for example, any of the poorest districts in the south and west or north of Ireland; take the county Mayo, for instance. It has been said to be a bankrupt county, wholly unable to maintain its people. Why, Sir, if this were the proper opportunity, I should be prepared to show that the county Mayo might be made to maintain twice or four times even its present population, by a judicious application of what is now falsely called its surplus labour to its land. It possesses 500,000 acres only of land under cultivation—but a cultivation of the most barbarous kind; so bad that, by the evidence of witnesses before the Devon Commission, the plough was not long since attached to the horse's tail. By improved cultivation this land might be made to grow double its present produce, and that only by the employment of its now idle and starving poor. But more than this, the county possesses 800,000 acres of waste land, half a million of them declared to be improveable with profit by Mr. Griffiths. So that by a judicious employment of the labourers now supposed to be redundant, the cultivatable land of the county Mayo might at once be doubled. Therefore, I say, Sir, that the present net rental of such districts is no measure of their value, or their resources, or their means of repayment of charges on them, if judiciously employed. And I hope that before the Government assent to any claim of the landowners of any such district to be excused from payment of the charge now under discussion, of advances on account of poor rate, or any other charge, the land itself, or a portion of it, especially the land now in a state of waste, and profitable to no one, will be taken in part payment of the debt, and appropriated by Government, as it may so easily be, to the most valuable and useful purposes, with a view to the maintenance and employment of the population, and their location on this land, in a manner to call forth their utmost energies in its improvement. I have been foiled myself in repeated endeavours, during the present Session, to find an opportunity of calling the attention of the House to the vast capability of the four millions of acres of improvable waste land in Ireland for this great national object, which I believe to be a far more available and important and promising means than colonisation, or railroads, or any other measure that has occupied the attention of Parliament this Session, having the same object in view. I will not abuse the indulgence of the House, by seizing this occasion for going into the subject, further than suggesting to the Government, as I have done, that the very worst and poorest districts of Ireland than that seen, *primâ facie*, to be least able to maintain their population, are precisely those where, by a fortunate coincidence (not of course an accidental one) the resources of the soil for this purpose have been most neglected, and are most capable of being increased; and that on this account the plea of poverty and inability to pay should by no means be admitted from the owners of such districts. Let them be made to pay by making over to the State those vast tracts of land now waste, of which they make no use, while they prevent others from using them, by their grasping exaction of impossible rents and conditions. These tracts, if properly appropriated and disposed of by the State, may be made to create a class of industrious, happy, and prosperous agriculturists out of a population now considered (most falsely) to be redundant. What I have said applies to Cork, to Kerry, to Waterford, to Galway, to Donegal, and many other counties of Ireland, as well as Mayo. I believe there is none that cannot employ its population profitably, and maintain them in comfort, if its natural resources, given by Providence for that express purpose, are properly developed. If the landlords will not do this, as hitherto they have neglected to do it, let the State step in and put the land into the hands of those who will make a fitting use of it.

The CHANCELLOR OF THE EXCHEQUER did not think the hon. Member had put a fair construction on what had fallen from him, for he had never said that the Irish people in the most destitute parts should be relieved from the payment of their instalments. What he said was in answer to the right hon. Baronet, who observed, that in some districts, where great distress prevailed, exceptions to immediate payment should be made. He (the Chancellor of the Exchequer) should think in extreme cases the term of payment might be extended, instead of being made immediate. He would not go into the question of waste lands on the present occasion, as other and better opportunities would occur for that purpose.

MR. G. A. HAMILTON said, the landlords of Mayo were not all deserving of the sweeping charge alleged against them by the hon. Member for Stroud; and he read a letter from a landlord in that county, describing the measures he had taken to improve and reclaim land, whereby he had given employment to nearly 1,000 men for many months, in cultivating flax, draining, and rendering waste land available. This showed what might be done by a single individual, and it was to be hoped that his example would be followed by others.

Clause agreed to. The House resumed. Bill to be reported.

House adjourned at half-past Two o'clock.

HOUSE OF LORDS,

Monday, July 12, 1847.

MINUTES.] PUBLIC BILLS.—1ª Compensation for Damages (Ireland); Drainage of Lands (Ireland); Stock in Trade (Exemption); Polling at Elections (Ireland).

2ª Drainage of Lands (Scotland); Shannon Navigation (Ireland); Turnpike Roads (South Wales); Canada Consolidated Revenue Fund; Print Works; Ecclesiastical Jurisdiction Amendment.

Reported.—Seduction and Prostitution Suppression; Railways (Ireland, No. 2); Fishery Piers and Harbours (Ireland); House of Commons Costs Taxation; Tithes Commutation.

PETITIONS PRESENTED. From the General Assembly of the Free Church of Scotland, complaining of certain Grievances, and praying for Relief.—From the Rev. W. Graves, complaining of the Operation of the present Law relating to the Tithes, as injuriously affecting the Interests of the Clergy.

MESSAGES FROM THE COMMONS.

The House met at Five o'clock.

LORD BROUGHAM called upon their Lordships to adopt two Resolutions, on messages from the Commons, drawn up by the Select Committee by whom, as their Chairman, he was instructed to move, to whom the subject had been referred:—

"1st. That the Lords are willing to receive from the Commons, in One Message, all Commons' Bills when first brought up to this House, all Lords' Bills returned from the House of Commons without any Amendment moved thereto, and all Commons' Bills returned therefrom with the Lords' Amendments thereto, agreed to without any Amendment; a List of such Bills, with a Statement of the Assent of the Commons thereto, being brought by the Messengers from the House of Commons, and delivered together with the Bills so brought up.

"2nd. That whereas, by Custom heretofore, all Messages from the House of Commons to the House of Lords, have been attended by Eight Members of the House of Commons; and whereas the Attendance of so many may occasionally be inconvenient to the Members of the said House, the Lords desire to communicate to the Commons their willingness to receive such messages when brought up by Five Members only."

The Committee desired him to add, that they hoped the Commons might agree to receive messages by one Master in Chancery instead of two; but that House could not originate the proposition. He (Lord Brougham expressed) the strong sense he entertained of Mr. Hume's eminent services in Parliament—of late, in improving the system of private business—but for thirty years as the most useful and wholly unpaid servant of the public.

Resolutions agreed to.

LEITH HARBOURS AND DOCKS BILL.

LORD KINNAIRD presented a petition against this Bill. He complained of its having been brought forward by the Government as a public Bill, whereas it was merely a private Bill. The Bill proposed to allow the Commissioners of Leith Harbour to borrow 135,000*l.* That body formerly borrowed a large sum from the public, and they were to borrow no more until that was repaid. But by this Bill they were empowered to borrow a further sum, which was to be repaid, principal and interest, before any portion of the debt due to Government was liquidated. The whole affair had very much the appearance of a job. He trusted the noble Lord who had charge of the Bill would withdraw it, and refer the matter to a Committee next year.

LORD CAMPBELL said, that it could not have been brought on in any other shape, because the Treasury was interested in it. By this measure great public improvements would be effected at Leith, which would prove most advantageous to all the surrounding districts. The 135,000*l.* now proposed to be borrowed would be repaid within a short time, and it was only postponing the payment of the former loan, which of course bore interest, and which could be then much better secured. The noble and learned Lord presented several petitions in favour of the Bill.

The DUKE of RICHMOND believed this to be one of the greatest jobs ever attempted to be perpetrated. He should propose that the Bill be withdrawn for the present Session, and the Government might make inquiry into the matter during the recess, and next Session present a report to the House on the subject.

LORD REDESDALE also considered this one of the most flagrant jobs ever brought before Parliament. Had this advance nothing to do with the circumstance of the Lord Advocate being Member for Leith? Not one shilling of the 125,000*l.* formerly advanced had been repaid. He reminded the House that this Bill was introduced at the eve of an election, one of the Members of the Government, the Lord Advocate, being Representative for Leith. He did not hesitate to say that the whole thing bore the appearance of an election job, and urged the withdrawal of the Bill.

Lord CAMPBELL said, there had been no notice given that this discussion would be brought on. He had merely got a notice from the noble Lord by whom the subject was introduced, that he would ask if they were prepared to withdraw this Bill; but the noble Lord had entered into all the merits of the Bill as if they were now on the second or third reading of it. It would be very inconvenient if they should, on the mere question whether they would withdraw this Bill, enter into all the merits of the measure. It was said that this measure was intended as an election job; but he would remind them that the money had been advanced before Leith had a Member; it was advanced in the year 1826 when there was no Member for the town of Leith; and he believed that the charge was just as well founded as the other charges that had been made.

BRIBERY AT ELECTIONS.

Lord BROUGHAM rose to move the Resolutions of which he had given notice on the subject of Bribery at Elections. He would remind the House that he had called the attention of their Lordships to this grave and important subject at the close of last Parliament. He had a duty much more easy and short to perform on the present occasion; for upon the atrocity of the practice, upon its pernicious consequences to the community, and upon its great—he would not say universal—but very great prevalence, unhappily, there could be but one opinion entertained. A plausible argument might be urged, that the subject rather concerned the other House than their Lordships. He entirely dissented from that opinion. He held an opposite doctrine; and he was supported in holding that doctrine by the authority of their Lordships' House and Proceedings. The Bribery Bill of 1729, the existing law, succeeded the Bribery Bill of 1726, which, after being passed by the other House, was rejected by their Lordships. That was one instance of interference. But a still more remarkable instance occurred in 1729. The Bribery Bill of that year, which, though insufficient, and often broken, was still the only statute law on the subject, was taken into consideration in their Lordships' House, and canvassed in all its provisions; no objection was raised, or attempted to be raised, that it concerned the House of Commons, although the Lords altered it in two essential particulars: one being the amount of penalty; the other the addition of the best clause in the Bill. It went back to the other House, where the objection was taken, that the Lords had overpassed the boundary that separated the jurisdiction of the two Houses of Parliament; but a high authority * expressed his opinion that

> "—the Lords were the proper guardians, as well as the Commons, of the purity, as well as freedom of the election; and the Lords were the guardians, not only as a branch of the Legislature co-ordinate to themselves," to wit the House of Commons, "but as the supreme court of judicature of the realm; and no man having a value for liberty, could grudge the Lords the honour of rendering the Bribery Bill more complete and more efficacious."

Therefore he (Lord Brougham) thought he need go no further to show that their Lordships had, upon precedent as well as upon principle, an absolute and unqualified right to interfere for the purpose of putting down one of the greatest crimes. Indeed, their high judicial functions made it peculiarly their province to deal with matters appertaining to the criminal law. When he said that the bribery and corruption of the people was one of the greatest crimes that could be committed, he did not speak the language of exaggeration; on the contrary, he spoke advisedly. But before proceeding further, he begged to remind their Lordships of the extent to which it had of late proceeded. The Reform Act of 1832, with all its other great merits, had in fact one peculiar advantage if they chose to follow it up; and it was perhaps as important as any other benefit which it had conferred upon the country. It enabled them at once to detect bribery and corruption. Before the Reform Act, the legal expenses of an election contest were so large—it involved the expenditure of so much money—and there were so many bills to be discharged after the election—that it became hardly possible to say, whether a Member or Candidate had expended his money for lawful or illegal purposes. When he recollected that his (Lord Brougham's) contest in 1812 against the late Mr. Canning

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* Mr. Pulteney. See Hansard's Parl. History, Vol. viii. p. 755.

for the representation of Liverpool, where there were 10,000 votes to be given, involved expenses amounting to upwards of 50,000*l.*; when he knew that voters were on that occasion brought from the Land's-end, and others from the north of Scotland; when he recollected that it was considered impossible to economize so much as to prevent a very large expenditure beyond the mere necessary expenses of conveying these voters—and the ordinary expenses of an election in such a place, for instance, as Lancaster (where, of 12,000 freemen, not 500 resided on the spot) were calculated to amount always to 15,000*l.* for each candidate, or 30,000*l.* in all—he felt it was impossible to say where the legal expense began and the illegal ended, they were so mixed up together. The Reform Bill, however, had given a test whereby to discriminate the two, because there were no out-voters under it; and treating being unlawful, 300*l.* or 400*l.* was the utmost legal expense that could be incurred since that Act. He could not reflect on the extent, degree, and manner in which the last general election of 1841 tarnished the reputation for honesty of the people and Legislature of this country—he could not reflect on that stain upon the national character, without looking to a foreign country. They had heard of charges which were brought of late there against men of the highest rank, of the most eminent public character, and of the proudest official station, all of which charges he was bound in justice to believe groundless—all of which charges he was willingly bound—not compulsorily bound, but cheerfully bound—to believe groundless, until fully proved, and confidently to expect that those eminent individuals would all come free and unscathed out of the trial. He (Lord Brougham) had constantly been receiving from the other side of the Channel letters which it was natural for his friends there to write, but which it was painful for him to read. He was asked why they were to set up as purists in England—why they were to have the pharisaical speech always in their mouths, that they were not as other men were, and that things were done in France which England was incapable of enduring. This when kept in generals was little. But then came the pinch of the argument, and that portion of the letter followed, which it was so painful to read. It was said, "The man who receives a bribe contaminates himself, and injures the Government he is connected with; the man who bribes him commits a great offence against the State; but only see within what narrow limits that is confined; then look to your bribery at elections," said his (Lord Brougham's) correspondent—"that wholesale system of buying and selling men's consciences." His correspondent then told them to ask themselves in England—when they looked down upon the people of France because charges of bribery were made against persons in office there—if there could be the slightest comparison between the effects on the morals of the people from such an offence as that, and the injurious tendency of the wholesale system of buying and selling men's consciences, and corrupting the pure fountains from which their laws proceed, and the representatives of the public character, and the depositaries of the public power are drawn. This English corruption, said his French correspondents, strikes at the root of all morals, and destroys the very character of the people. The injury arising from bribery at elections was great, and the topics were so numberless, and the arguments against the practice were so exuberant, that he might say, "You cannot see the wood for the trees." He would say that honest men could not permit bribery to be practised for their own behoof, or for the behoof of their party. Let every man who was on the Committee of an election—let every man who was a candidate at an election—let every man who was the supporter of a candidate at such election, no longer lay to his soul the flattering unction that he is only encouraging the political offence by bribery, and not encouraging perjury, for he (Lord Brougham) would say that by every act of bribery they ran the risk of perjury. They incurred the moral guilt of perjury, and in many instances the crime was actually committed. Suppose, for instance, 200 people in a town should receive head money, every one of them was exposed, and necessarily exposed, to the hazard of having the bribery oath administered to him. They all came to the hustings and to the poll, knowing that oath might be put to them, and out of the 200 how many did they suppose would refuse the bribery oath? Not 5 per cent, not 10 men out of the whole number. It was frightful and most lamentable to reflect on the ease with which election zeal as well as corruption, teaches voters to swear sometimes carelessly, sometimes falsely. In one case, of which he was himself cognizant, the advice was given to keep the poll open till the other voters came up, and to gain time by tendering the votes of some who had already voted, but not to let them take any oath that they had not yet polled. The answer was, they had been doing so all the morning. The expedient had already been resorted to; but without the warning, and the men had been voting a second time and swearing it was the first. The man who took a bribe, and was prepared to swear he had not taken a bribe, was morally as much guilty of perjury, and for the same reason, as the footpad or the burglar was morally guilty of murder, when he goes to rob prepared to kill, and by chance finds he has no occasion to kill; but morally he is a murderer. So is the bribed voter morally perjured. The offence tainted the character of the man for life; that man could no longer hold up his head as incapable of committing perjury. Therefore it was, he begged leave to say, that he entirely agreed with those French friends who held that it not only tainted the purity of the Legislature, but irreparably tarnished the purity of English morals and character, if the offence of bribery and corruption should, by wholesale, be committed. He was asked how he proposed to deal with it? Several modes might be suggested for dealing with this evil of bribery, so as to uproot and extirpate it. Amongst others there was one he would take leave especially to recommend, namely, that there should no longer be any restriction or limitation of the period within which it should be competent for persons who were cognizant that bribery and corruption had been practised, on occasion of elections, to present and prosecute their petitions. As matters now stood, the prosecution of charges of bribery and the punishment of that crime by the loss of the seat so obtained, were made to depend on the operation of a mere Sessional Order of the other House, whereby the period was limited within which petitions charging bribery against a Member could be presented; but it was full time that that regulation should be abrogated. Why should a man's seat in Parliament be at any time secure if he owed it to bribery? Three or four hundred pounds ought, in his opinion, to be the very outside of the fair expenses of an election since the Reform Act. He spoke of borough elections, because there it was that bribery prevailed; but supposing that they were to carry their presumption of legitimate outlay as far as to 800*l.*, or even as far as 1,000*l.*, ought they not to stop there? Suppose they were to make the proof that more than that money had been expended by the candidate or his agents at a given election, conclusive evidence that bribery had been committed, did not their Lordships think that such a proceeding would in all probability have a very salutary effect in putting an end to the abominable practice? Counsel who were deeply versed in electioneering matters were of opinion with him that 800*l.*, or at most 1,000*l.*, ought to cover every conceivable honest and legitimate outlay; and he was strongly inclined to the opinion that a restriction to that standard would be attended with most beneficial results. These were suggestions which he threw out in a cursory manner. He had no doubt but that next Session, if he were spared so long, he should be enabled to lay before their Lordships some other measures yet more efficacious, in addition to the recommendations which he now very diffidently submitted to the consideration of their Lordships. Meantime it occurred to him that the adoption of the resolutions which he had placed upon their Lordships' Books would, in all probability, be attended with a highly beneficial effect. It was time that something should be done to remedy an evil which all must deprecate, and all unaffectedly deplore. Evidence incontestable of the evil working of the present system was to be found in the fact that gentlemen, probably well known in their own private and exceedingly select circles, but wholly unknown to the country at large, were day by day notifying through the public press and otherwise, their intention of presenting themselves as candidates for the representation of various places at the approaching elections. He judged that they were unknown from the very terms in which their addresses were drawn up, for it repeatedly happened that those documents opened with an apology to the constituents that an unknown man, one who was an utter stranger to them, ventured to solicit their suffrages. He had made inquiries on the subject, and found that in some half-dozen cases no human being in the respective places for which these gentlemen came forward as candidates, knew anything whatever respecting those who were soliciting from the constituents that which was beyond all comparison the most important trust that could be confided into mortal hands — the privilege of making laws to bind the community. No man in the place knew anything on earth of the candidate saving only two. The first of these was an attorney. The attorney, to be sure, knew the candidate; but how long he had known him was another question altogether. The intercourse might have been sweet—passing sweet—but it was very short. In all probability it had not extended over more than a week or ten days. But the attorney and the candidate had laid their heads together, and arranged between them the way in which the borough was to be represented. The stranger had brought with him his credentials in the shape of a letter of credit. The large bill of the well-known attorney was to be paid, and the wealthy and unknown stranger was to pay it. The attorney was fully satisfied —the stranger was fully satisfied—and each arrived with marvellous unanimity at the same conclusion, namely, that the said stranger was a fit and proper person (no one more so) to represent Andover, Barnstaple, or whatever the name of the place might be, in the Imperial Parliament. The second person who enjoyed the happy privilege of the stranger's acquaintance was the intermediate agent, and with his cooperation the attorney managed ere long to run up a bill of more than 1,800*l.* or 2,000*l.*; and the stranger was brought in as the representative in Parliament of a constituency who had never so much as heard his name before. He had heard of a gentleman who stood pretty much in that relation towards his constituents which he (Lord Brougham) had been describing. The bribery at that place was so notorious, and was so shamelessly practised, that the worthy and independent voters went up to the poll, as if glorying in their disgrace, with bank notes stuck in their hats as cockades. The gentleman at whose expense this was done, after his return, addressed them in these words, "Gentlemen, I have bought you, but, believe me, I will never sell you." The constituents cried out that they hoped he would come again; but his reply was, "No, no, my friends, it is out of the question; I cannot afford it." The noble and learned Lord having observed on the beneficial effects which would probably result from a declaration on the part of their Lordships as to their sense of the duty which devolved upon both Houses with respect to the detection and punishment of acts of bribery and corruption, concluded by moving the following resolutions:—

"1. That it is the bounden Duty of both Houses of Parliament to adopt, at the Beginning of the next Session, whatever Means may be most effectual for detecting and punishing Acts of Bribery and Corruption which may be committed during the ensuing Recess, at the Election of Members of Parliament, and Peers of Scotland; such Offences being altogether subversive of the Freedom of Election—destructive of the Independence and Purity of the Legislature—leading to the moral Guilt of Perjury in all Cases, and the actual Commission, in many, of that most foul and heinous Crime.

"2. That it is also the Duty of both Houses of Parliament to inquire of and visit with Punishment all Acts which may be done during the Recess for interfering with the free choice of Members of Parliament, and Peers of Scotland, by intimidation or otherwise.

"3. That it is the Duty of both Houses of Parliament to inquire of all Corrupt bargains, whether by compromise or otherwise, made during the Recess, for the purpose of preventing and frustrating the inquiry into such Corruption or Intimidation at elections of Members of Parliament, or of Scotch Peers."

The MARQUESS of LANSDOWNE was perfectly aware how frequently this important subject had engaged the attention and labours of his noble and learned Friend who had just sat down, and also the attention and labours both of their Lordships' House and of the other House of Parliament; and whatever his opinion might be as to the expediency of adopting the resolutions proposed by the noble and learned Lord, he could with unfeigned sincerity assert that he was glad that, at this particular time, an opportunity had been afforded him of denouncing, in eloquent terms, the gravity of the offence to which his speech had reference, and the unbounded mischief which its perpetration was sure to entail. This was unaffectedly his feeling; and he hoped that neither the noble and learned Lord nor the House would do him the injustice of supposing him indifferent to the vast importance of the subject, or insensible to the amount of mischief which the practice of bribery at elections occasioned. If he found it impossible to concur with the noble Lord in the expediency, or, to speak more correctly, in the necessity of their Lordships putting just at that moment upon record an opinion which they were not prepared to follow up with an Act, and an opinion, moreover, which it was already notorious that their Lordships at all times, and now more than ever, entertained. To the principle of the resolutions it was impossible for him to take exception; and if he could persuade himself of the necessity of passing them, he should advocate their being introduced, with an amendment, declaring that not only during the ensuing recess, but that at all times it was the bounden duty of that House to give its sanction to measures wisely and judiciously contrived, with a view to the removal of the evil which the noble Lord so bitterly deplored. But the evidences of the feeling of that House in that respect were already numerous, emphatic, and unmistakeable. At no time had an occasion for exhibiting them arisen that they had not been manifested in the most distinct manner. Whatever differences of opinion might have existed in that House with regard to various measures which, from time to time, the ingenuity and contrivance of legislators had suggested to put an end to the abominable practice of bribery, it was at least certain that those differences of opinion did not relate to the expediency of repressing the abuse, but rather to this question—in what judicious and unobjectionable manner that repression might be carried out. The present resolutions appeared to him unnecessary and inexpedient, for it was evidently impossible that at this period of the Session any practical or effectual legislative remedy could result from them. The resolutions were liable to the same objection to which all resolutions of an abstract nature were subject, namely, that while exception could not be taken to them on the score of the principles which they inculcated, or of the truths which they laid down, they were nevertheless in some sense deceptive, as they seemed to indicate an intention to proceed further in the matter, without their Lordships knowing in what that further proceeding was to consist, and without their being in a state of readiness to introduce any legislative provision on the subject. The noble and learned Lord suggested that some provisions might be contrived; but he would be the last man in that House to maintain that the measures to be introduced for the remedy of the evil complained of might not in many respects be liable to objection, or that they should be adopted otherwise than after the most serious deliberation and the most careful consideration. He (the Marquess of Lansdowne) spoke on this matter from experience, for he was well aware, as also were their Lordships, that year after year, Parliament after Parliament, during the last century attempts had been made to repress by statute those abominable practices. Some of those Acts had been adopted, others had been rejected; but all of them had afforded convincing proof in their progress that of all the subjects for legislation this was most difficult to handle, and that the object which was in contemplation could only be carried into effect by the adoption of regulations and the creation of powers which, in their details, were liable to most serious objections: they were often of a most inquisitorial character, involving the necessity of pardoning crime for the sake of repressing crime, and granting impunity where it was least deserved, for the purpose of reaching another offender. It was clear, therefore, that these were questions of great difficulty, and he had an objection to record an implied intention on the part of that House to do that in a future Session of Parliament which they were not prepared at once to say they had the means of doing. The only abstract resolution of this kind that he had ever concurred in passing, or that he remembered to have been attended with good effect, was one which he had the honour of bringing up from the other House, in which at that time he had a seat, a resolution declaring that it would be expedient in the following Session to take measures for the abolition of the slave trade. In that case, however, it should be remembered that there was at first great difference of opinion as to the expediency of abolishing the slave trade; and it was necessary that the fact should be notified to their Lordships of that difficulty having been surmounted; but in the present case there was, and had been, an universal agreement of opinion as to the principle, and the only difficulty was how best to remedy the evil which all deprecated. Until, therefore, they were completely decided as to the manner in which they should act—until they had made up their minds as to the provision to be adopted with a view to the suppression of bribery—he was averse to their needlessly pledging pledging themselves to that which would merely be regarded as a *brutum fulmen.* It was impossible for any one to doubt for one instant that their Lordships viewed with extreme abhorrence those abominable practices, or that they were not most anxious that they should be done away with. A stronger attestation of their feeling in this respect than any mere declaration of opinion, was to be found in the shape of an Act of Parliament, to which their Lordships gave their assent in the year 1842; an Act which he had no doubt would eventually have the effect, if not of entirely uprooting those corrupt practices, of at least surrounding the commission of them with greater difficulty, and making those who were disposed to them hesitate more than they were in the habit of doing in former times. That Act gave to the other House of Parliament the power of reassembling such Committees as might have been appointed to investigate charges of bribery; but from whose consideration those charges had been, owing to some circumstances or other, withdrawn. Not only did it permit the reassembling of such Committees, but it provided for the appointment of agents to collect evidence and carry on the inquiry in such a manner as seemed most likely to lead to the detection and punishment of offenders. That enactment afforded a striking illustration of their Lordships' feelings on the subject; and he had no doubt that any Bill that might be sent from the other House during the next Session, having for object the punishment of such crimes connected with corruption at elections as the existing law did not reach, would receive the promptest and most attentive consideration from their Lordships. It was most unquestionably their duty to concur with the other House in the enactment of such measures as might be best calculated to promote an end so desirable as the abolition of the odious practices to which the noble and learned Lord had referred; but, confiding in their entire willingness to do so, and entertaining as he did a sanguine hope that the expression of opinion which had gone forth from that House (an expression which their past experience ratified and confirmed) would in itself have a salutary effect, he could not perceive the necessity for the resolution, and would move the previous question.

Lord BROUGHAM expressed his entire satisfaction with the statement that had been just made by so distinguished a Member of the Ministry as the noble Marquess, and trusted that it would be productive of a beneficial result. He had already made certain suggestions for the removal of the evil which they all so much deplored; but there was another recommendation which he hoped would be taken into consideration by those who might hereafter frame a measure of legislation on the subject. It was, that it should be made incumbent on every Member before taking his seat to make oath that no money had been spent by him, or by any agent or friend of his, on his behalf, directly or indirectly, for purposes of bribery; and that no promise had been made of gift, reward, pension, place, or emolument, to influence the vote of any man whatsoever at his election; and that the Member should also promise or swear never to pay, or cause to be paid, any further sums which might be demanded on account of his election. It was true that the maxim *Leges sine moribus vanæ* was applicable to this question—more so, perhaps, than to any other—but no man could hold his head up in society, or presume to mingle amongst honest men, if it should be discovered that, notwithstanding his having made such a declaration, he had indeed been guilty of the practices in question.

Resolutions, by leave, withdrawn.

IRISH EMIGRANTS.

The Earl of ENNISKILLEN wished to put a question to the noble Lord at the head of the Colonial Department, on the subject of the Irish emigrants to Canada. In an Irish newspaper which he had received that day he found an account of their lamentable condition in a letter written by the Bishop of Quebec, who stated that, after landing, these unfortunate emigrants had endured the greatest hardships. He had been in hopes, from the clear and satisfactory statement made by the noble Lord (Earl Grey) about six weeks ago, that, after the sufferings of the voyage were over, the emigrants would have been taken care of, and, with Government assistance, would have been enabled to get into the interior and become distributed. However, from the tenor of the letter to which he had adverted, he was disposed to apprehend that the Governor of Canada had, to a certain extent, been taken by surprise by the influx of emigrants. [The noble Earl here read a passage from the letter in question, descriptive of the sufferings of the emigrants on landing.] He was quite sure that the noble Lord deeply sympathized with the condition of these emigrants; but the subject was of the utmost importance, not only to Ireland, but to England. Let them recollect the different social state of the two countries. He believed that, according to the best statistical information, the average wages of an ablebodied labourer in England were 25*l.* a year, while the average in Ireland was but 5*l.* Consequently, unless vigorous measures were taken, the ablebodied labourers of Ireland, not the paupers, would come over to this country in large numbers, and enter into ruinous competition with the English labourers, deteriorating their condition, and spreading amongst them, from density of population, the ravages of fever. He trusted that the Parliament and the Government would adopt measures to ward off this evil. He wished to know whether the Government had recently received any communication from Canada on the subject to which he had alluded?

EARL GREY grieved to say that it was too true that the Government had received accounts of most deplorable sufferings endured by the emigrants. He had anticipated that this would be the case, and his anticipation had unfortunately turned out to be too correct. A large number of the emigrants having endured during the previous winter extreme suffering, the consequence was that, though the ships carrying them out were quite as well provided as emigrant ships usually were, the mere change of life, combined with their weakened state, had been productive of fever. Accordingly, on arriving in the St. Lawrence, it was found necessary that they should be detained in a quarantine station. Lord Elgin lost not a moment in adopting the most prompt and energetic measures to meet the evil, having been already warned by him (Earl Grey) that evils of this kind were likely to arise. Application was made by Lord Elgin to the Ordnance Department, and tents for the use of 10,000 persons were got ready, and measures were taken to erect sheds for their accommodation. A large number of additional medical officers were also engaged to render assistance. In short, all that human skill or art could effect for the relief of these unhappy persons was put in requisition. Measures of precaution had likewise been taken in advance, the usual vote for assisting emigrants having been greatly increased; and Lord Elgin had been instructed, in full confidence that Parliament would, under the circumstances, acquiesce in the arrangement, to take all the measures best calculated to mitigate the sufferings of the emigrants, by providing increased medical attendance and greater accommodation, even if, for that purpose, it was necessary to exceed the amount of the vote granted by Parliament for that attendance. With a view to permanent emigration being carried on hereafter upon the scale on which he considered it ought to be conducted, it would, he thought, have been most injudicious and unadvisable had they attempted to seek a remedy for the immediate sufferings of Ireland by any measure calculated to give an extraordinary stimulus to emigration during the present year. He thought that, without any such interference on the part of Parliament or of the Government, the emigration of the present year would be as large as the condition of the North American provinces would enable them, at this time, to receive. All the accounts which had reached him entirely confirmed that impression. He only hoped that too large a number of emigrants might not have gone out in the present year; but he trusted that the advice which had been given by the rev. Prelate to whose letter the noble Lord had referred, might not have the effect of discouraging and checking emigration in future years, because the sufferings to which emigrants had recently been subjected, were, undoubtedly, to be traced entirely to the consequences of the distress which had prevailed in Ireland. The people, at the time of their embarkation, had in many cases been in such a state of health, that a sudden change from the diet to which they had been accustomed, to a better description of food, had caused the fever to break out. He firmly believed that the sufferings of the emigrants arose entirely from the distress which had existed in Ireland, and that nothing had occurred during the present year which need tend to check or discourage emigrants from proceeding to Canada in future years. He (Earl Grey) wished to add that the most earnest attention of the Government and of the colonial authorities had been directed to this subject, and that every possible measure that could be devised to mitigate the calamities to which the noble Earl opposite had referred would be adopted.

LORD MONTEAGLE thanked the noble Earl (Earl Grey) for the statement he had just made, and was desirous to take this opportunity of expressing his conviction that no portion of the distress which had prevailed among the emigrants was attributable to neglect either on the part of the Government, or of the officers who were employed as emigration agents. Indeed, it was impossible that any persons could have been more assiduous in the discharge of their duties, or more solicitous to promote the comfort of the unfortunate persons who had been referred to, than the emigration agents.

House adjourned.

HOUSE OF COMMONS,

Monday, July 12, 1847.

MINUTES.] PUBLIC BILLS.—2° New Zealand (No. 2); Militia Pay; Trustees Relief.

Reported.—Constabulary Force (Ireland), &c.; Recovery of Public Monies (Ireland); Poor Removal Act Amendment (No. 2).

3° and passed:—Mussel Fisheries (Scotland); Post Office; Navigation (No. 2); Herring Fishery (Scotland).

PETITIONS PRESENTED. By Mr. T. Duncombe, from Patrick Balfe, of Bruslanstown (Meath), for Alteration of Polling at Elections (Ireland) Bill.—By Mr. M. Gibson, from Manchester, for Alteration of the Bishopric of Manchester, &c. Bill.—By Mr. P. Miles, from French and other Foreign Subjects residing in or trading to the Isle of Guernsey, for Inquiry.—By Mr. Liddell, from South Shields, for Alteration of the Health of Towns Bill.—By Mr. J. Collett, from Inhabitants of the Parish of Kilglass (Roscommon), respecting the Division of that Parish.—By Mr. T. Duncombe, from Robert Grapes, late a General Post Letter Carrier, for Inquiry respecting his Dismissal.—From Members of the Steam Ship Association, against the Thames Conservancy Bill.

THE WELLINGTON STATUE.

LORD J. RUSSELL said, before moving the Order of the Day for going into Committee of Supply, he would fulfil the promise which he had given to the noble Lord opposite (Lord G. Bentinck) with respect to the Wellington military memorial, on the subject of which he had given notice of a Motion. Since he last addressed the House, he had communicated with the illustrious Duke relative to the Statue which had been erected over the arch in the Green Park; and the substance of his reply was, that his Grace considered the question not individually, but entirely on public grounds—that many persons considered, and that the Committee entertained a similar opinion, that its removal from the arch might be construed as a mark of the disapprobation of the Crown towards the individual in whose honour it had been erected—that, for his own part, he had received too many proofs of the regard and approbation of the Crown to entertain any such notion—but that in his opinion such an idea might be formed by the public; and, therefore, upon public grounds he deprecated the removal of the Statue. This statement had been communicated to Her Majesty; and in obedience to Her Majesty's commands he had now to state that the Government did not intend to persist in the removal of the Statue.

THE GREENOCK ELECTION.

LORD JOHN RUSSELL, while on his legs, would take the opportunity of alluding to another subject which stood amongst the Motions on reading the Order of the Day. It was one of which notice had been given by the hon. Member for Greenock, who proposed "to call the attention of the House to the recent interference of the Government exercised chiefly through the medium of the Secretary at War, with the constitutional privileges of the Parliamentary electors of Greenock." He begged to tell the hon. Member for Greenock that the Government had no intention of interfering with the Parliamentary electors of Greenock, nor did they intend to interfere or give a preference to either one candidate or the other.

MR. BAINE would not press his Motion.

MR. FOX MAULE said, that as his name had been very prominently included in the notice of Motion given by the hon. Member, he begged to say that he had in no way interfered with the discretion of the hon. Member for Greenock, and that he had not attempted to sway him in either proceeding with or withdrawing the notice. He should for his own part be quite ready to answer for himself, whenever or whereever any demand for explanation should be made upon him upon the subject.

MR. TUFNELL would detain the House a few moments on this point. He wished to remove a misapprehension that had prevailed with regard to the publication of his letter to Lord Melgund. He was sorry to find that the noble Lord had been accused of a breach of confidence in publishing that letter, which was written for the purpose of being communicated to any parties in the burgh who might contradict his assertion, that persons connected with the Government had interfered to prevent him from coming forward as a candidate. He had been assured, in a communication which he had received from Lord Melgund this morning, that the letter had not been marked "private;" and although, therefore, he must consider that no one was authorized to read a letter of this nature at a public meeting without having received express authority to do so, still he could not, under the circumstances, do more than regret that his authority had not been demanded before the letter, which was written in his private capacity, was thus publicly used.

THE SLAVE TRADE.

MR. BORTHWICK wished to explain some remarks he had made the other night. He had stated that 600 slaves had perished out of a cargo of 707, and that only 107 had reached their destination.

He had asserted that it was considered a safe and good speculation, if out of a cargo of 700 slaves 100 were safely landed; and the noble Lord in replying to him had said that "600 per cent" was not a proper expression, because 600 men could not die out of 100. He (Mr. Borthwick) maintained that the expression was a correct one, as expressing the comparative mortality which took place under the present system. Formerly the great complaint was, that ten per cent of the slaves shipped used to be lost before the vessel arrived at her destination; but it appeared that now only about 16 per cent were ever landed alive.

THE MISCELLANEOUS ESTIMATES.

Mr. VERNON SMITH said, he should ask the noble Lord the First Lord of the Treasury, as he did not see the Chancellor of the Exchequer in his place, whether during the recess the Government would take into their consideration the necessity of appointing a Committee or other tribunal to which the Miscellaneous Estimates would be submitted previously to the House being called upon to vote them in Committee of Supply. A constant increase was going on in these estimates, which required some efficient check. It was growing by degrees, not so much through the fault of the Government as of the House itself, in assenting to the increase, and not taking measures to prevent it. The Miscellaneous Estimates had certainly been rendered more intelligible of late years than they used to be, but they were still by no means so clear as they should be. He was anxious that Government should direct its attention to the subject during the recess.

Lord J. RUSSELL admitted there was great room for inquiry, and early in the next Session he hoped that a Select Committee would lay down some principles on which in future it would be safe to proceed.

SUPPLY—PORTPATRICK.

House in a Committee of Supply; Mr. Greene in the chair.

On the question that 10,000*l.* be granted for the harbour of Portpatrick,

Mr. ROSS objected, and hoped never to see Portpatrick or Donaghadee in the votes agreed to.

Mr. HUME insisted that it was in the votes now contrary to a distinct pledge; and he appealed to the hon. Baronet the Member for Stamford whether such a pledge had not been given.

Sir G. CLERK agreed that such was the case; three years ago it had been decided that no more money should be spent on Portpatrick.

The CHANCELLOR of the EXCHEQUER said, that the reason for the vote was, that some money was required to complete works on which a great deal had been formerly laid out. It was necessary to keep up some communication, and the harbour would be filled up if something were not done.

Mr. HUME would move the postponement of a vote brought forward in defiance of the House.

Mr. W. WILLIAMS maintained, that it was a job for the benefit of a Whig Peer. The harbour never could be made available, and he would take the sense of the Committee on the vote.

Mr. FERRAND required the hon. Member to name the Whig Peer.

The CHANCELLOR of the EXCHEQUER was just as ignorant of the name of the Peer as the hon. Member for Knaresborough. All he knew was, that a Conservative Peer, Lord Londonderry, accompanied by a deputation of Irish and Scotch gentlemen, had called upon Government for God's sake not to give up the port.

The Committee divided:—Ayes 118; Noes 4: Majority 114.

List of the Ayes.

Acland, Sir T. D.
Aglionby, H. A.
Ainsworth, P.
Arkwright, G.
Arundel and Surrey, Earl of
Baine, W.
Baring, H. B.
Baring, rt. hon. F. T.
Barrington, Visct.
Beckett, W.
Bentinck, Lord G.
Bentinck, Lord H.
Berkeley, hon. Capt.
Berkeley, hon. H. F.
Bernal, R.
Blackburne, J. I.
Bodkin, W. H.
Bowles, Adm.
Broadley, H.
Brooke, Lord
Brotherton, J.
Brown, W.
Carew, hon. R. S.
Christopher, R. A.
Clay, Sir W.
Clements, Visct.
Clerk, rt. hon. Sir G.
Codrington, Sir W.
Colebrooke, Sir T. E.
Craig, W. G.
Dawson, hon. T. V.
Divett, E.
Dodd, G.
Douglas, Sir C. E.
Duncan, G.
Duncombe, hon. A.
Dundas, Sir D.
Ebrington, Visct.
Egerton, W. T.
Ellice, rt. hon. E.
Entwisle, W.
Evans, Sir De L.
Ferrand, W. B.
Fitzroy, hon. H.
Frewen, C. H.
Fuller, A. E.
Gibson, rt. hon. T. M.
Gore, hon. R.
Graham, rt. hon. Sir J.
Grey, rt. hon. Sir G.
Hamilton, J. H.
Hamilton, G. A.
Hastie, A.
Hatton, Capt. V.
Hayes, Sir E.
Hayter, W. G.
Hildyard, T. B. T.
Hodgson, F.
Hornby, J.
Hotham, Lord
Houldsworth, T.
Hutt, W.
Inglis, Sir R. H.

Johnstone, Sir J.
Kemble, H.
Lefroy, A.
Le Marchant, Sir D.
Lemon, Sir C.
Lindsay, Col.
Lygon, hon. Gen.
Macaulay, rt. hn. T. B.
Mackinnon, W. A.
Mangles, R. D.
Manners, Lord J.
Maule, rt. hon. F.
Miles, P. W. S.
Milnes, R. M.
Molesworth, Sir W.
Monahan, J. H.
Morpeth, Visct.
Mostyn, hon. E. M. L.
Nicholl, rt. hon. J.
O'Brien, A. S.
Ogle, S. C. H.
Packe, C. W.
Parker, J.
Patten, J. W.
Peel, rt. hon. Sir R.
Philips, G. R.
Philipps, Sir R. B. P.
Pinney, W.
Plumridge, Capt.
Repton, G. W. J.
Ricardo, J. L.
Russell, Lord J.
Rutherfurd, A.
Seymour, Lord
Sheil, rt. hon. R. L.
Somerset, Lord G.
Somerville, Sir W. M.
Stanley, hon. W. O.
Staunton, Sir G. T.
Strutt, rt. hon. E.
Thesiger, Sir F.
Thornely, T.
Thornhill, G.
Towneley, J.
Trelawny, J. S.
Vane, Lord H.
Villiers, hon. C.
Waddington, H. S.
Wall, C. B.
Walpole, S. H.
Ward, H. G.
Wood, rt. hon. Sir C.
Worcester, Marq. of
Wortley, hon. J. S.
Yorke, H. R.

TELLERS.

Hawes, B.
Tufnell, H.

List of the NOES.

Callaghan, D.
Collett, J.
Wakley, T.
Williams, W.

TELLERS.

Hume, J.
Ross, D. R.

SUPPLY—DISTRESS (IRELAND).

On the question that 600,000*l.* be granted to defray expenses incidental to relieving distress in Ireland,

VISCOUNT CLEMENTS said: I may take this opportunity of alluding to a leading article in the *Morning Chronicle* of this day. I am perfectly aware that, if necessary, I might bring it before the House as a breach of privilege, but I am not so tender skinned as to wish to make any such attempt. I must admit, generally speaking, that the *Morning Chronicle* is a respectably conducted newspaper; and I regret to see either that or any other newspaper endeavour to intimidate a Member of this House by abuse poured down upon him. Abuse has been poured down upon me because I ventured to give opinions, which are sincere, however unpalatable they may have been to the House or to the editor of the *Morning Chronicle.* I believe that that paper is an organ of Her Majesty's Government; but, however that may be, I conceive it to be my duty to refer to the leading article in it, simply for the purpose of exculpating myself. Let it be remembered that this is not the first time I have given it as my opinion that the monies would not be repaid. It will, perhaps, be in the memory of many hon. Gentlemen, that at the time the votes were under consideration, I cautioned the House, and told it that I did not think it possible to repay the monies. I was not one of the Members who begged and entreated you to give money to any amount: far be it from me to do anything of the kind. I do not regard legislation here as if Ireland were a separate and distinct nation—such is not my opinion, political or social; and I trust that the feeling in favour of distinct legislation between the one country and the other is rapidly dying away. But there is only one course by which such a happy result can be attained, namely, by regarding every act of the House as an act which will injure the whole empire, if it injure any portion of the empire. The article in this paper is, I regret, in much the same style as the very flippant remarks of an hon. Gentleman opposite, who is desirous of selling, not only the whole property of Ireland, but the gentry of Ireland along with it. I utterly disregard such exceedingly jocose remarks. No doubt the editor of this paper may think it a very good joke, and may consider it possible to intimidate Members of this House from expressing their sentiments; but I utterly disregard such attempts. Many of my countrymen say that I stand alone in this House. I trust I do stand alone in the view I take of this question. God forbid that I should exaggerate the state of things in Ireland, and particularly in the county that I have the honour to represent! I trust that I may be under a delusion on this subject. I trust that it may be in the power of the country to pay this money, but I fear it is not so; and I sincerely believe that one-half of the money that has been spent in Ireland within the last twelve months might have been productive of greater benefit to the Irish poor, if properly expended, than has been effected by the entire. If these sentiments are not palatable, I am sorry for it, but they are my sincere conviction. I have no object in view in giving expression to my opinions. I am not an agitator. I never attend public meetings. I state my real sentiments, whatever they may be, as plainly as I can in this House; but beyond these walls I have not been in the habit of saying or of doing anything which in the most remote manner could prejudice the peace of the country or any of her interests. I trust, Sir, that I shall not have occasion to allude again to such attacks as that which I have just mentioned. I do not wish to call further attention to it; and I conclude by observing that I am sure when the writer of it considers the subject better, he will see that he has done me an injustice.

Vote agreed to.

House resumed. Report to be received.

COMMUNICATION BETWEEN THE HOUSES.

A conference having been held with the Lords,

Lord J. RUSSELL appeared at the bar, and reported that a deputation from the House of Lords had communicated to them two Resolutions, recommended for adoption by a Select Committee of their Lordships' House, and agreed to afterwards by that House. They were as follow:—

> "1st. That the Lords are willing to receive from the Commons, in one Message, all Commons' Bills when first brought up to this House; all Lords' Bills returned from the House of Commons without any amendment made thereto; and all Commons' Bills returned therefrom with the Lords' Amendments thereto agreed to, without any Amendment—a List of such Bills, with a statement of the assent of the Commons thereto, being brought by the Messengers from the House of Commons, and delivered together with the Bills so brought up.
>
> "2nd. That whereas, by custom, heretofore, all Messages from the House of Commons to the House of Lords have been attended by eight Members of the House of Commons, and whereas the attendance of so many may occasionally be inconvenient to the Members of the said House, the Lords desire to communicate to the Commons their willingness to receive such Messages when brought up by five Members only, to which they desire the concurrence of the Commons."

Resolutions ordered to be referred to a Select Committee.

THE DEBATE ON PORTUGAL.

Mr. MACKINNON said, that seeing the hon. Member for Wycombe in his place, he wished to ask him a question arising out of the speech made by the hon. Gentleman a few nights ago, in which he was stated to have traduced a Portuguese nobleman.

Mr. SPEAKER called the hon. Gentleman to order, and said that he could not allude to a former debate of this Session.

Mr. OSBORNE said, he knew what the hon. Gentleman alluded to, and he believed he could answer the question without having it put formally to him.

Mr. SPEAKER said, if the hon. Gentleman wished to explain anything in his former speech having reference to an individual he could do so, but not by way of answer to a question from another hon. Member.

Mr. OSBORNE said, that in the course of his speech in reference to Portugal, some evenings ago, he alluded to the Conde de Tojal, in terms at which a relative of that individual in this country, M. Olivera—a gentleman very much respected by all who knew him—felt much hurt. He had spoken of the Conde de Tojal as having been a defaulter in this country at a former period. It appeared, according to a letter which he had since seen, that the Conde de Tojal had been at one time engaged in the wine trade in this country, and that he had the misfortune, by the conduct of a partner, to become bankrupt. Some of his debts were of long standing; but having lately come into the possession of some property, with that feeling of honour which should belong to a Finance Minister, he paid off all his liabilities, and had now the good fortune to be the Minister of Finance, in the Portuguese Government.

NEW ZEALAND (No. 2) BILL.

Mr. HAWES said, that so many Members on both sides of the House took an interest in this Bill, that its passing was certain, and likely to attract little attention in the Committee; yet he desired to direct the attention of the Committee to one point of importance. Upon referring to the Papers on which this Bill was founded, it would be seen, that in one respect, it had not been drawn in conformity with them. In order to make the Bill in strict conformity with the agreement between the Government and the Company, and with its correspondence, which was on the Table of the House, it would be necessary—as would be seen on referring to the Papers in question—to strike out the words in Clause 15, 16, and 18, which implied that interest after the year 1850 was to be paid to the Government on the advances made by it to the Company. He would read the following passage from the correspondence, which would be found in page 102 of the Papers on the Table:—

> "On these grounds, Lord Grey proposes, that in the event of the Company's continuing its operations, at the end of three years it shall be held to be indebted to Her Majesty's Government in the sum of 236,000*l.*, or of any less sum to which the actual advances may amount. That this debt shall not bear interest, but that its speedy and punctual payment, according to the means of the Company, shall be secured, by appropriating to

the payment of the principal, until the whole shall be discharged, one-fourth of the clear annual profits of the Company."

There were, also, other passages in the agreement and correspondence of the same nature, which he would read if it was desired. Therefore, he should move that the words in the Bill which were inconsistent with the correspondence between the Secretary of State and the Company, be struck out of Clauses 15, 16, and 18. The real object of the Government was, having adjusted the dispute between the Company and the Government, to encourage the Company to continue its colonising character and action. This was the end aimed at. For this purpose, if the aid now given to the Company, coupled with the returning prosperity of the colony, should lead to a continuance of its exertions to found new communities in New Zealand, then the loss of interest upon the capital advanced, would be amply repaid. The prosperity of the colony would reduce the Parliamentary vote, and the increased trade between this country and the colony would more than compensate for this surrender of the interest.

Lord G. BENTINCK did not rise for the purpose of opposing the Bill, although it was rather opposed to the principles laid down by the Government in the early part of the Session. Her Majesty's Government had laid it down as a principle that the Government ought not to be money lenders, and yet now they came forward to prop up a number of destitute shareholders, after having given so many refusals in similar circumstances. They were going to lend a great commercial speculation, the New Zealand Company, 136,000*l.*, in order to get them out of their difficulties. But the advantage they possessed over other speculations was, that the supporters of the Company were, in sporting language, "very strong coveys" in that House. There were eighteen Gentlemen in that House who supported the measure; and, no doubt, if the Company succeeded, they would go on very well; but if the speculation failed, then the Government would purchase back the lands of the Company for a sum of 250,000*l.* [Mr. Hawes: That was the amount of the security.] He was not disposed to treat lightly the claims of their colonies; but, in the present instance, the Government had gone beyond their usual limits, and had committed a greater breach of the strict rules of political economy than had ever been proposed in that House. Feeling, however, that the colony of New Zealand was of great importance to the mother country, and that there was at all events this difference between it and other colonies, that the capital sent there could never be alienated, but must remain in the colony, and that there was little doubt of its always belonging to Great Britain, he was not disposed to offer the measure any decided opposition. Still he could not allow it to pass without pointing out how completely it was in contravention of all the principles and doctrines laid down by the Government in the early part of the Session—that, in the existing difficulties in the money market, it was inexpedient to advance any money to stimulate trade or industry in any part of the Queen's dominions.

Sir R. H. INGLIS remarked that no reference had been made to the previous proceedings of the New Zealand Company by the hon. Gentleman (Mr. Hawes). The silence on both sides of the House might be considered a kind of condonation of that body, and it was not, therefore, necessary to advert to the original constitution and proceedings of the Company. Passing over those topics, though he retained his own opinions on the subject, and deprecated the course of Her Majesty's Ministers in adopting the agency of the Company for governing, in any degree, or in any portion, the territory of New Zealand, he was unwilling the debate should close without some reference to the conduct of the chiefs and natives of New Zealand in the course of the contest recently terminated. In no country nominally Christian, could their conduct have been exceeded in all the attributes of real greatness. When the troops of the Queen took possession of their country, under circumstances which were certainly misunderstood by the natives as a body, the objection of that distinguished chief, Heki, was, that a more absolute dominion had been assumed by the Crown than it had been the intention of the chiefs to concede. Under such circumstances they were in a manner compelled to go to war; but how did they conduct the war when it had commenced? Why, with a degree of forbearance which no age of chivalry in Europe had ever exceeded. Not only were two of our officers who had been taken prisoners sent back with their arms restored, when it was impossible for them to have resisted effectually, but women were returned without either injury or insult. Knowing these facts, he could not omit the opportunity thus afforded of bearing his testimony to the conduct of the chiefs. With respect to the Bill itself, he should offer no opposition to it. He agreed with what the hon. Gentleman had said as to the merits of Captain Grey, the present Governor of New Zealand; but he could not help feeling that, in those praises, there had been a kind of under current of censure quite undeserved upon his predecessor, Captain Fitzroy, whom he considered equally well entitled with Captain Grey to the approbation of the House and the country.

MR. WILSON PATTEN wished to put a question with reference to the 19th and 20th Clauses of the Bill. After the year 1850, if the affairs of the Company did not prosper, they were to abandon their scheme into the hands of the Government, the repayment for the land being at 5*s*. an acre; but the Government were to undertake all the liabilities of the Company. He wished to know whether those liabilities were to be confined to money liabilities, or if they included all engagements the Company had entered into with private and public parties, including, of course, the disputes as to land claims?

MR. HAWES replied, that one of the merits of the Bill was, that every case of dispute was practically settled. The past liabilities of the Company were estimated; they would be found in the accounts laid before the House; and part of the money to be advanced by the Government would be applied to meet those liabilities.

MR. WILSON PATTEN said, the reply of the hon. Gentleman was satisfactory so far as it went. But he understood the Company were now engaged in disputed claims which were not settled up to this moment; and he wished to know whether there were not disputed claims which might increase the liabilities of the Government in the event of the Company abaning their operations?

The CHANCELLOR OF THE EXCHEQUER referred the hon. Gentleman for a more specific answer to the following passage from Mr. Stephen's letter to Mr. Trevelyan, dated "Downing-street, May 6, 1847," written upon the supposition of the present arrangement being effected:—

> "The present liabilities of the company will then be entirely discharged, with the exception of a very small balance which may, on a settlement of some disputed account, be found due to the Nelson settlers over and above the 25,000*l*. hereby proposed to be provided for that purpose. The only other liabilities to which the company can then be subject will be such as may be contracted during the next three years with the assent of the Government itself, through its Commissioner; and it is hardly conceivable, according to the company's scheme of colonisation, that such liabilities should be incurred without a fund sufficient to meet them being in the hands of the company. The assets of the company, besides its land, will consist of such dead stock as it may then possess in the colony; and though the amount of such stock will be considerable, it will be a set-off against the still more considerable amount of its liabilities."

MR. V. SMITH believed the present prosperity of the colony of New Zealand to be mainly owing to the energy and discretion of the present Governor; but he must ask upon what principle this money was proposed to be advanced. Was it as a mode of compensation for past injuries, or for promotion of colonisation? He approved of the principle of appointing a Government Commissioner; but objected to his appointment being made subject to the approval of the Company. He doubted whether it were usual; and he feared it would frustrate all the objects it was intended to accomplish.

MR. C. BULLER thought his hon. Friend the Member for North Lancashire (Mr. W. Patten) appeared to have misunderstood the liabilities to which the Government subjected itself by the present Bill: the Government did not subject itself generally to the liabilities of the Company, but only to certain specific liabilities. And it stood to reason, if the Government were to carry on the colonisation during a period of three years, and at the end of that time the Company did not go on, that the Government, which had been a party to the engagements, should be held responsible for the expenditure. With regard to compensation to the Company, his right hon. Friend said the Government might have settled that question at once, and have put an end to the Company. The question of compensation, however, was a very difficult one; and it would be much more desirable than adopting any course of that sort, that the Company, by going on, should be able to compensate itself. In addition to that, the Government showed it would be highly inexpedient to put an end to the Company; and he must say he fully agreed with the Board of the Colonial Department as to the general inefficacy of colonial agency executed under the Government. He believed that all really effective colonisation had been carried out under private associations sanctioned by the Government; and if the country were again to realize such results as had already marked the advance of colonisation, it must be by giving the greatest encouragement to the exertions of voluntary associations. The New Zealand Company had undoubtedly done much for colonisation, and its ill success was mainly to be attributed to unfortunate disputes with the Government. He was happy to think that the House was disposed to forget all former disputes—that they were to look to colonisation as an object of great national concern—and that they were prepared to discuss the measure before the House simply with a view to its bearing upon the future interests of the colony of New Zealand.

Mr. HUME thought the Bill before the House was one which should attract the attention of the whole country. Scarcely any colony had so largely excited the expectations of the public as New Zealand, and upon no occasion hardly had so many gentlemen associated with the view of carrying out emigration ; it was therefore with great regret he found, after the immense expenditure of upwards of 600,000*l.*, all owing to the misconduct of the Colonial Minister, who was unfit for his situation, the House was now called upon to make a loan of 136,000*l.*, in addition to the 100,000*l.* last year. He thought the Bill before the House was calculated to lessen the evils at present existing; and he was strongly of opinion that if we gave to our colonies a system of self-government, and took care that the affairs of the colonies should be ordered by themselves, there would be a chance of a better state of things resulting. Private individual enterprise in these matters was much better than Government intermeddling. He perceived the Bill stated that money was to be advanced for the purpose of facilitating emigration; but there was nothing in it which bound the Company to do anything towards that end. He should like to know what security the country had that the Company would do its duty. He repeated that the present state of the colony was owing to the misconduct of the Colonial Office; and he only regretted that there were no means of visiting those who had done the evil with the punishment they deserved.

Mr. WILLIAMS felt himself bound, in the discharge of his public duty, to oppose the Bill, on account of the mismanagement of the colony by different Governments from its commencement down to the present time. He hoped, with the aid of the public money about to be given, that the Company would pursue a straightforward and honest course for the advancement of the colony.

Sir J. GRAHAM thought it was most desirable they should discuss this Bill on its own merits, without reference to antecedent disputes. The hon. Member for Montrose, who certainly did not always measure his words, had stated that the Secretary of State for the Colonies, at the time these transactions took place, was quite incompetent to fill the high office he held. That expression bore on a noble Lord with whom he had long been associated in office; it was now his painful position not to be associated with the noble Lord; but it was impossible to hear such expressions used with respect to his past conduct without referring to it, and saying that he himself (Sir J. Graham), and the noble Lord's Colleagues were as responsible for it as the noble Lord. It would be base in the extreme in them, if they did not at once say they shared that responsibility to the fullest extent. With regard to the Bill itself, he agreed very much with the Judge Advocate, and the hon. Member for Montrose, in approving of it; and he differed from the right hon. Gentleman the Member for Northampton, and those who advocated the extinguishing of the New Zealand Company. He approved of the arrangement which the Bill was to authorize, and by which, in consideration of the assistance to be rendered to the Company, an officer, appointed by the Government, was to be vested with a complete control over the whole of their transactions. If, at the end of three years, notwithstanding the aid to be afforded to them, the Company should prove unable to retrieve its affairs, it would then cease, and the colony become a Crown colony. With regard to the amount to be advanced to the Company, he understood that 136,000*l.*, which, with 100,000*l.* given before, would make 236,000*l.*, was the whole amount for which the State would be liable; and that in 1850 no more advances would be required, except 5*s.* per acre for upwards of 1,000,000 of acres, or 268,000*l.*, which would only become payable as the land was sold. To that he had no objection. He considered that, on the whole, the arrangement made by the Government was a judicious one; and he hoped that the effect of it would be that the prosperity of this enterprising Company would be restored; for he agreed with the Judge Advocate, that should it succeed, it would not be the first example of colonisation being effectually carried out by a company, because almost all the successful attempts of this country at colonisation had been made by companies, and not by Government.

Viscount INGESTRE wished to express his thanks to the Government for the arrangements they had made. They had forborne to enter into past transactions, but had only sought to do that which they believed would be for the benefit of the empire.

Mr. E. DENISON doubted much whether the money it was proposed to advance to the Company would be enough to save it; and he would be glad to know from those who were connected with the Company, whether there was any reason to believe that that sum would be sufficient.

Mr. AGLIONBY approved of the conduct of the Government with regard to the arrangement with the Company. As to the amount of money to be advanced, he would have been more satisfied if the amount had been a little larger; but the Government had offered as much as they felt it to be consistent with their duty to offer; and the Company, after carefully weighing the whole case, and making the fullest calculations, had come to the conclusion, that although the amount was as little as possible, yet it was sufficient to afford a reasonable ground for expecting that at the end of the three years the Company would be able to go on.

Mr. DISRAELI said, that although hon. Gentlemen opposite might be very well satisfied with the arrangement that had been made with the New Zealand Company; yet it was of importance that the constituencies out of doors should know what that House was really going to do. First, he wanted to know to whom was it that the Chancellor of the Exchequer and his official friends called on them to vote the money? At the beginning of the Session—it was not long since, the echo was still in our ears—when a demand was made in the House for a grant of money for a great public object, it was possible, it seemed, for right hon. Gentlemen to get up and denounce it as one which would not produce any great public good, or contribute to the general welfare of the country, but as a mere scheme for the benefit of "destitute shareholders." Now, what he wanted to know was, whether "destitute shareholders" had any interest in the grant now proposed? He thought that was a fair inquiry. Because it was well known at the end of a Session a great deal of business was got through, under the magical influence of twilight, which did not attract public attention; and very often principles which were made the subject of debates—of adjourned debates—and which were declared to be of such importance that the existence of a Government was staked upon their rejection, at the commencement of a Session, were, at its close, without being discussed, made the foundation of Bills which were passed with the concurrence of the very Government who, when they were first advanced in another shape, threatened, if they were not withdrawn, to resign their power. Now, here was an instance in which it appeared the country was to be made liable for advances to the extent of 236,000*l.*, and for a sum of 286,000*l.* more for land payments; and what he wanted to know was, to whom that money was to be paid? Here was a joint-stock company in distress. He did not mean to undervalue their original objects or exertions; but other "destitute shareholders" had also embarked in undertakings which were conducive to the general good. Here was a Company, however, which had wasted 600,000*l.* To be sure they said it was not their own fault, but the result of circumstances; but that was the story of every insolvent. By bad management their capital disappeared, and then they began to circulate rumours, rather than make direct accusations, against the Ministers of the country, and especially against one. Their immense book of 1,078 pages was circulated freely among Members (and if their printing bill only was examined, he thought it very likely it would help to account for how the 600,000*l.* had gone), and statements were made, both in public and private, as to the conduct of the Government of the country, and especially of the Secretary of State for the Colonies for the time being. Yet, when the question came fairly to be inquired into, notwithstanding all their blustering, they retired ignominiously from the field. They talked much of New Zealand, and of their misfortunes, and of the capital that had so unaccountably disappeared; but not one of those subsequent accusations against Lord Stanley was uttered in that House until after—for the misfortune of the country—that noble Lord was called to the other House. Then it was, that, in his absence, those "destitute shareholders" came forward to impugn the policy of that eminent Minister. And now, they did not wish to indulge in personal allusions! Why? It was, because they had obtained grants of public money. The hon. Member for Montrose had called them an ill-used Company, and another hon. Member who spoke earlier in the debate alluded to them as an "unfortunate" Company. He did not think it was so eminently unfortunate; it did not want representatives in that House; and certainly it had a fair share in the formation of the Government. But if it were expedient and politic—and he denied neither the expediency nor the policy—that the New Zealand Company, for great national objects, should be assisted by the State, he wanted to know, and might fairly inquire, what argument the chairman of those destitute shareholders could bring forward in asking for the grant, which would not apply equally in favour of those extensive public works to which, at an early period of the Session, his noble Friend (Lord G. Bentinck) had called on them to contribute some portion of the public money? Let it be admitted that both were destitute—perhaps the Irish railway shareholders were not so destitute as the New Zealand Company, and perhaps they had not spent the whole of their capital quite so wastefully: he might again ask another question—why, if they, the destitute shareholders of the New Zealand Company, were to obtain this grant of public money, did they procure it at 3½ per cent; when the destitute shareholders of Ireland, our brethren, our friends and neighbours, so near, were, by an arrangement of the Government, sanctioned a few nights ago, to pay 5 per cent? Why, the hon. Member for Montrose, who was such an excellent judge of securities, and his aide-de-camp sitting near him, had just told the House that it was the worst security in the world, and that, left alone, it would never go down in the market. It was only, however, to pay 3½ per cent. Yet the very same Government permitting this, ten days ago, brought forward a measure equally in violation of that great principle on which alone they declared this country ought to be conducted, and by this the Irish shareholders would have to pay five instead of 3½ per cent. He had heard much of insults to Ireland; but the greatest insult to Ireland ever offered was the Chancellor of the Exchequer getting up in that House and practically telling them that the security of Ireland was thus far inferior to the security of New Zealand. He (Mr. Disraeli) hoped that this would be everywhere stated. He trusted that the national party of Ireland, that the Irish party, that all classes of all orders of men, and that all classes of all shades of opinion, would distinctly understand that the present Government had really declared that the security of Ireland was inferior to the security of New Zealand. Let that question be put broadly at the hustings, and let it in all places be asked at the general election, "Will you vote for the man or will you support the Government that declares this?" This, indeed, was an insult to Ireland infinitely more flagrant than all he had ever heard; and he had heard much that was offensive on both sides of the House. And he hoped that the people of England would remember also at the proper time what they had been told barely a fortnight ago by one of the most eminent Members of that House—one with whom on many occasions he (Mr. Disraeli) differed, but whom he had always been ready to acknowledge as an able and real statesman—he meant the right hon. Gentleman the Member for Dorchester. The right hon. Gentleman told them that the question at issue, in such a grant of public money, was not merely the condition of Irish railways, or assistance to a New Zealand Joint Stock Company; greater principles were involved—the principle on which this country ought to be governed was involved in the vote the House was about to give. This was what the right hon. Gentleman repeated with such eloquence on a former night, and this was what he supported with such sincerity that evening. He (Mr. Disraeli) agreed with the right hon. Gentleman; he felt that on this, as on every other occasion, when a similar proposition was made, the decision to which they had to come was, whether they should govern England like pedants, or administer the resources of the empire like statesmen. When a great and comprehensive measure was introduced, it was met by musty maxims of a so-called political economy; but when no party or momentary purpose was to be served, and the vaunted theory came to be applied, in detail, on every single occasion, they violated the principles which they maintained abstractedly to be so important, and which the right hon. Gentleman recently assured them should be of paramount consideration. "Perish the world sooner than compromise a principle," had always been the policy of the right hon. Gentleman the Member for Dorchester, and recently recommended to them; yet to-night he did for the New Zealand Company what some short time since he had refused to do for Ireland; and the Government, with a glaring inconsistency with nothing but the fag-end of the Session and the conviction that public attention, jaded with all the disasters of the last six months, was no longer fixed on them, and no longer played the critic of all their political pranks, would have permitted, came forward a second time to violate every one of those declarations which, at the commencement of the Session, they insisted to be of paramount importance. He was glad that they had acted with so much wisdom; but, while they were thus registering their own condemnation, they were, in fact, giving another proof of the soundness of the policy which they (the Protectionists) had consistently supported.

Bill read a second time.

BANKRUPTCY AND INSOLVENCY BILL.

The ATTORNEY GENERAL, in moving that the Speaker leave the Chair, in order that the House might resolve itself into a Committee on this Bill, said that he wished to make a short statement to the House on the nature of the measure. The Bill embraced two distinct objects, one of which was the abolition of the Court of Review and the jurisdiction dependent upon it, and the other was the transfer of certain authority now vested in the Bankruptcy Commissioners in London, to the Insolvent Commissioners in London, and to the Judges of the county courts. A further object of the Bill was to save the country between 16,000*l*. and 17,000*l*. a year, by certain alterations to be made in the practice of the Insolvent Debtors' Courts, which would dispense with the necessity of the Commissioners travelling circuits in the country, while the business which was formerly done there would be transacted by the judges of the local courts. He believed that the first part of the Bill, when properly understood, would be as acceptable to the House as the latter part of it seemed to be, if he might judge from the cheers with which the announcement of the pecuniary saving to the country was received. Before, however, he touched upon the Bill itself, he must refer to a statement made by the hon. Member for Montrose the other night, that a Committee of the law Lords had expressed their opinion that any alteration in the law of bankruptcy and insolvency should be suspended until a general measure could be introduced on the subject. If, however, the hon. Member for Montrose would refer to the paper which he had alluded to, he would find that although the Committee were of that opinion, they were also of opinion that certain measures should be carried into effect at once; and the Bill before the House had for its object the accomplishment of those measures, and had received the sanction of the Lord Chancellor, Lord Brougham, and Lord Lyndhurst. He would proceed, therefore, now to explain the different objects of this Bill; and he confessed he did not understand the grounds which had been urged for the further postponement of the measure, so far as it related to the three or four clauses abolishing the jurisdiction of the Court of Review. It had been urged that the Bill had been brought forward for the purpose of increasing the patronage of the Lord Chancellor—a charge which had been made by persons who wished to stop the further progress of this measure, because they knew that as long as the Court of Review stood, they had a chance of being promoted to higher offices than those which they now filled. Those who stated that the Lord Chancellor's object was to exercise his own patronage, ought to recollect what his Lordship had already done in the course of the present Session. A vacancy occurred among the Masters in Chancery—an office in the Lord Chancellor's gift; but as his Lordship thought the appointment unnecessary, the office was immediately abolished. By abolishing the Affidavit Office, also, he had relieved the country from considerable expense, and had given up much more patronage. It would be found, also, that the very first clause of the present Bill took from him the patronage which he undoubtedly possessed of appointing four Judges of the Court of Review; and subsequent clauses in the Bill took from him the power of appointing two Commissioners of Bankrupts, and from the Home Secretary the appointment of one Commissioner of Insolvent Debtors. So far, therefore, was this Bill from being intended to confer on the Lord Chancellor any patronage whatever, that it took from him patronage which he might have exercised without objection. Some years ago the whole law of bankruptcy was put upon what was considered a proper footing. Jurisdiction in bankruptcy was taken away from the Court of Chancery, and an appeal in bankruptcy matters was given to the Court of Review; but it was soon found out that the court was nearly useless, and that the machinery was very expensive. Four judges of the court were at first appointed, but the numbers being reduced by deaths and the acceptance of other appointments, Vice Chancellor Knight Bruce was made Chief Judge of the Court of Review, receiving, however, no increase of his salary as Vice Chancellor. In that state of things the Court of Review had continued for a considerable period; and, in everything but in name, the business of the Court of Review was transacted by the Court of Chancery, through the instrumentality of one of the Vice Chancellors. The Lord Chancellor, therefore, thought that it would be better to abolish the Court of Review, which now existed simply in name, and to transfer its jurisdiction to a Vice Chancellor whom he should appoint for that purpose, but not to alter the law of bankruptcy, nor the mode of administering it, because the Bill provided that the business of the court should be carried on by the party acting as Vice Chancellor, which now was administered by him as Judge of the Court of Review. It had been hinted to him that there was an object in this Bill of giving some patronage to some parties who were not named in it. He believed he might say that, so far was this from being the case, that it was directly the reverse. Mr. Ayrton had been appointed a Bankruptcy Commissioner, partly because the Lord Chancellor believed him to be the fittest person whom he could select for that office, and partly because he thought that a second registrar of the court was not necessary, and that if the office were abolished, the holder must receive compensation. Mr. Ayrton was, therefore, appointed a Commissioner in Bankruptcy, and the vacancy in the office of registrar would not be filled up. As to the other portion of the Bill, he thought that there could be no question. He believed it to be generally admitted that the new system of giving a mixed insolvency jurisdiction to the Bankruptcy Commissioners, in addition to their own especial duties, had interfered with the efficiency of the Bankruptcy Court; and if that could be put an end to, and the authority transferred to another jurisdiction, that that course would be advantageous. The chief, as well as the second Bankruptcy Commissioner, had kept accounts of their circuits, from which it appeared that the first named gentleman had visited six towns in his list without finding a single insolvent. Mr. Commissioner Phillips had also set apart one week for Liverpool. He went down there, and found that he could dispose of his business in two hours. Now this was certainly a department of judicial business which could be safely transferred to the local tribunals. He had mentioned the principal points of the Bill, and he hoped that the House would have no objection to proceed to consider the clauses in Committee.

Sir J. GRAHAM would very gladly have consented to the Motion that the Speaker do leave the chair, and then have discussed the clauses of the Bill in Committee, without offering any observations to the House now, had it not been for the speech just made by the Attorney General; and perhaps it might be for the convenience of the House that he should take that opportunity of stating his views of the measure. He would begin with what was the most agreeable part—that of stating his entire concurrence in a very large proportion of the Bill. To the latter portion of the measure he had no objection. He thought the abolition of the Circuit Insolvent Debtors' Court a great improvement, and he thought the transfer of their jurisdiction to the county courts would be found to be attended with great advantage. Neither did he think there could be any suspicion that the Bill was one intended to give patronage to the Lord Chancellor. But, while the larger part of the Bill had his approval, the first three clauses must be objected to by every one who wished to separate the jurisdiction in bankruptcy from the Great Seal. The hon. and learned Getleman said, the measure had received in its favour the concurrent opinion of the Lord Chancellor, and the ex-Chancellors in the other House; but he did not know that this was a question which ought to be decided by Lord Chancellors. He did not know that Lord Lyndhurst had taken any part in the discussion; and no doubt there were Members in the House who would be able to state what the views of Lord Brougham were upon that subject. But he repeated that this question was not to be decided by Lord Chancellors, or by ex-Chancellors. It was a question that the trading community had the deepest possible interest in, and on which they were able to form a competent opinion;

and he must say that the present Government had an immense advantage in its composition in this respect, possessing, as it did, Members representing the great trading communities of the country. He saw opposite to him the hon. Member for Lambeth (Mr. Hawes), who, himself connected with trade and commerce, represented a great metropolitan constituency, and had directed much of his attention to the subject. He must say, then, that on a question of this kind the Government had not acted with the prudence which he would have expected, to rely for advice on the Lord Chancellor, and not avail themselves of the experience of those metropolitan Members of their own body who were so intimately connected with the interests of trade and commerce. The House would recollect that this subject was sent to a Commission—a mixed Commission—composed partly of lawyers and partly of gentlemen connected with trade. That Commission unanimously recommended two things: in the first place, that bankruptcy proceedings should be severed from the Great Seal; and, in the second, that separate tribunals should be established—that the Court of Review should be maintained, to which all such questions should be exclusively referred—and, taking a view of the subject very different from that of the hon. and learned Gentleman (the Attorney General), they urged, as a reason for the maintenance of the Court of Review, that it was politic to afford to the Commissioners of Bankruptcy the stimulus of some preferment. In this report the Commissioners unanimously concurred: the report was received, and, upon that report, an Act was passed which formed the law as it now existed. The hon. and learned Gentleman had stated that the whole aspect of the law would be remodelled in the next Session of Parliament; and he had also informed them that the present was a mere nominal change. He suspected, however, that there was more than the change of a name in this proposition. Why, if it was only the change of a name, could they not let matters stand as they were till next Session? The hon. and learned Gentleman said there was no desire to create new patronage by the Bill; but was it equally certain that there was not, under this transfer, a desire to maintain useless offices connected with the Great Seal? It would go far to uphold an office of very doubtful policy—that of Secretary of Bankrupts; but, at all events, it appeared to him clear that if the change was merely a nominal one, it ought to be reserved till the next Session of Parliament. Was there, he would ask, any reason why creditors in this country should desire to go to the Court of Chancery for the despatch of business? Was there likely to be great expedition in that court with reference to bankrupt affairs? There was every reason why they should be jealous in the extreme of any measure which gave increased jurisdiction to that court. He did not wish to speak offensively of that tribunal; but it was matter of notoriety that great abuses still existed in connexion with the Great Seal; that the fees were felt to an undue extent by the suitors in that court; and that the hungriest and poorest suitor in it contributed to those fees. He, therefore, looked to this whole question with the greatest jealousy, and must repeat that he did not see any necessity at the close of the Session to retransfer the business connected with bankruptcy to the Court of Chancery. He had stated that he could not support the first three clauses, and also expressed his regret that the advice of the hon. Member for Lambeth had not been taken respecting the measure, which was in many respects a most excellent measure. He hoped that the Government would not press those clauses to which he objected upon the House; for if they went into Committee, and he should stand alone, he would most assuredly give those clauses his most determined opposition.

SIR G. GREY did not understand that there was any opposition to going into Committee. If he understood aright the clauses to which the right hon. Member had referred, they did not transfer to the Great Seal the business of the Court of Review, but merely gave the discharge of the duties to the Vice-Chancellor.

MR. STUART contended that they were not in a situation, at the close of the Session, to give that degree of attention to this Bill which it deserved. He had heard, with great pleasure and profit, the speech of the right hon. Gentleman (Sir J. Graham), who had called their attention to some of the more prominent defects of the measure; but the right hon. Gentleman had stated that it was not his intention to oppose their going into Committee. He would ask the right hon. Gentleman, however, to listen to what he had to advance on the subject, with the view of inducing Government not to proceed with the measure, and he thought he would be able to furnish him with reasons why the Bill should not be carried a stage further. The objections to the Bill were of a grave and important character; and even those parts of it that seemed to be beneficial, deserved at the hands of the Government very careful attention. The first clause went to abolish the Court of Review. This court, which was established not many years since, was now said to be existing nominally only. It was said that it was merely a nominal tribunal; but he denied that altogether. He denied the wisdom of the arrangement: as a measure preliminary to the abolition of the Court of Review, there might be circumstances in its favour; but, as a means of adjudicating bankruptcy cases, he denied its wisdom altogether. It was alleged, as a reason for transferring the jurisdiction to one of the Judges of the Court of Chancery, that that Judge had not enough to do in his own court; he denied this, and he complained of the manner in which the business of bankruptcy was managed with reference to the public. [The hon. and learned Member detailed the manner in which causes were set down for hearing in the Court of Chancery, a suitor being invited to make his choice of the Vice Chancellor's Court in which his cause should be heard; and, having done so, when the time came for the hearing, without any notice or warning to the suitor, it was transferred by the Lord Chancellor to some other court.] He appealed to the candour of the right hon. Baronet (Sir G. Grey), and of his hon. and learned Friend, and asked them to postpone the Committee on this Bill. There was nothing before the House to justify the abolition of the Court of Review, and the transferring its business to the Court of Chancery; there was not only no reason for abolishing that court, but the proper and judicious view of the question was the other way. If there was a good tribunal, it ought to be dealt with in a way to make it an efficient one, instead of which this Bill dealt with it in a way to bring it into contempt. No one could accuse the Vice Chancellor in question of incapacity; there were in the legal profession motives of preference for particular courts; but the Vice Chancellor in question, though he had less business than the other Chancery Judges, was a person of unquestioned talent and learning. If it was intended to put a slight upon the Lord Chancellor who created this tribunal, this Bill would do it. So much with respect to the first three clauses of the Bill. The general scope of the other part was to transfer the jurisdiction over insolvents to judges of recent creation in the local courts just established; and he believed that this might prove a beneficial measure; but the degree of experience as to the working of these courts had not been, in his opinion, sufficient to warrant the change at present. He did not say that it might not be beneficial to transfer to the local judges the jurisdiction in insolvency, but not in so hasty a manner; it was the very way to bring those newly-established courts into contempt. He thought that a much more extensive jurisdiction might be given hereafter to these local courts; but he would invest them with a definite jurisdiction at once, on definite grounds, and not shuffle them about, year after year, so as to deprive them of all title to respect. Why not give them something in bankruptcy, and something in charity cases? Had the Government considered this? If they had, the House should hear the reasons why they withheld this jurisdiction from the local courts, or whether they intended to give it hereafter. Why did they proceed piecemeal—one day giving insolvency, another day bankruptcy, another day charities? If enough had been seen of the working of the local courts to justify the giving them the jurisdiction transferred to them by this Bill, why not give them more? No reason had been assigned why the one was given, and the other withheld. He said that none should be given until they had seen more of the working of these courts. When Mr. Serjeant Spankie was taunted with the expense of courts of justice, he said, with great *naiveté*, that cheap law was a good thing, provided it were worth the little that was paid for it. Now, no one knew the expense of these local courts, and yet they were going to transfer this additional jurisdiction to them by a measure which should be of a more comprehensive and statesmanlike character than this. A petition was presented by the merchants, bankers, and traders of the city of London, who were of opinion that the transfer of the jurisdiction from the Court of Bankruptcy to the High Court of Chancery should be at all events postponed, because they considered bankruptcy cases should be the business of a distinct court, and not that of a court which was a mere set-off of the Court of Chancery; also, because, they thought any sudden transfer of jurisdiction would be injurious;

and, lastly, because the transference of the jurisdiction would not effect any saving of expense. By the transfer also of the jurisdiction the funds of the court would have to defray an annuity of 1,000*l.* or more to the two Registrars of the Court of Review, whose tenure of office had been very brief. He would ask his hon. and learned Friend to consider these reasons, and not urge forward a measure of this kind at this period of the Session. Much injury had been done to the courts of law by the sudden changes that had been made in their jurisdiction.

House in Committee on the 1st Clause.

SIR J. GRAHAM moved its omission. With respect to the 2nd and 3rd Clauses, he thought there was considerable force in the remarks of the hon. and learned Member for Newark, that the working of the local court system had not yet been developed. He thought that these clauses should also be withdrawn.

SIR G. GREY thought the right hon. Baronet had misapprehended the bearing of the clauses in question. As to the objections which had been urged by the hon. and learned Member for Newark (Mr. Stuart), they were not so much directed against the three clauses, as they were to the arrangement made by Lord Lyndhurst, by which the Court of Review was virtually extinguished. The object of the clauses was to give the authority of Parliament to the arrangement which already existed, by which the business which used to be transacted in the Court of Review was transferred to the Court of the Vice-Chancellor, who disposed of it according to the rules upon which the Court of Review was to be conducted. The difficulty which he felt was in defending the clauses; for he did not consider them to be of any great importance. The transfer had already taken place by Lord Lyndhurst's fiat; and although the clauses were withdrawn, the business would continue to go on as at present.

MR. S. WORTLEY had waited patiently in the expectation of some arguments being produced in favour of the introduction of the three clauses, but he had waited in vain; so far, indeed, from hearing reasons tending to make out a case in support of the clauses, the right hon. Baronet (Sir G. Grey) had assigned the best possible reasons for omitting them. He had stated that no complaint had been urged against the working of the law as it at present stood—then why alter it? But if there were no petitions in favour of an alteration, one petition of very great weight had been presented against it. The state of business in one of the Vice Chancellor's courts had been urged as an argument in favour of the change; but if there were so little doing in that court — there was not much doing in any of them—would it not be wise to consider, in the event of a vacancy occurring, how far it was advisable to fill it up? He did not think that the matter involved was so unimportant as the right hon. Baronet (Sir G. Grey) seemed to suppose. It was really wasting the time of the House to discuss clauses which were deemed to be of so little importance by the right hon. Baronet (Sir G. Grey), and when the whole subject must next year undergo a full discussion.

The ATTORNEY GENERAL thought the hon. Gentleman opposite (Mr. Stuart) had mistaken the nature of the clause. By the Act as it at present existed, four Judges were authorized to be appointed; but it was found there was not employment enough for one; and, as far as the shuffling of jurisdiction was concerned, that shuffle had taken place long ago, by the late Lord Chancellor appointing one of the Vice Chancellors to the office of Judge. Now, this was very wrong; because such an arrangement ought to have a legal sanction, which this Bill proposed to give. Therefore, instead of the Government being called upon to adduce reasons in support of the Bill, he thought rather that the opponents of the measure ought to adduce reasons against it; because this Bill was intended to prevent any Government from exercising patronage in filling up the offices of the four Judges which the Bill allowed. The present state of things was felt to be satisfactory; and all that the present measure proposed to take was to legalize it.

MR. DISRAELI: The observations of the right hon. the Secretary of State seem to me to be fatal to these clauses. The right hon. the Secretary says that we ought not to appoint a Judge of Appeal, because there will not be business enough to occupy his time. Why that, at least, shows that you have not the materials for a permanent settlement. This is the case of the Government: here is a provisional arrangement which works extremely well; and, therefore, it ought to be altered, although, at the same time, we admit that if a settlement be made, there are not materials enough for the appointment of a permanent Judge. It must, therefore, be a provisional arrangement. [Sir G. GREY: But the business is daily diminishing.] Yes; but that is an additional argument in favour of provisional arrangement, because it appeared that the business would gradually grow finer and smaller, till some better arrangement still could be made for next Session. I agree with the right hon. Secretary of State that these clauses are of no importance, But then I ask you how, at the end of the Session, when you have already given up Bills of so much importance as the Health of Towns Bill and others, you should occupy the few valuable remaining hours of the present Session with the consideration of clauses which you admit to be of no importance? I take the admission, so far as this argument is concerned; but, in point of fact, the real question is this, shall we bring the administration of the Court of Bankruptcy under the jurisdiction of the Court of Chancery? That the measure is of no importance, so far as the business of the Court is concerned, only shows that there can be no necessity for having recourse to a measure which is very unpopular among the mercantile part of the community; and, therefore, if the matter goes to a division, I must support the Motion of the right hon. Member for Dorchester.

MR. ROMILLY thought the operation of these three clauses would be very beneficial. He was not much struck with the objection made by the hon. Gentleman opposite, that by this measure the business of the Court of Bankruptcy would be brought into the jurisdiction of the Court of Chancery; because if hon. Gentlemen would consider for a moment what that meant, they would find that it did not mean that the principles and provisions and regulations of the Court of Chancery should be applied to the Court of Bankruptcy, but it only meant that the rules and principles of the Court of Bankruptcy should be administered by a Judge who was in the Court of Chancery. Surely that was not an important question. But then there was another question, referring to the subdivision of the Courts of Justice. That was a great benefit to lawyers; but it was a great evil to the public. Every time a new court was created, there was much time and money spent in settling the jurisdiction of these courts in each particular case; and, on the other hand, one of the advantages of suppressing a new court would be that it would get rid of a number of useless officers, for every new court must have a separate staff. For instance, he thought the Secretary of Bankrupts might be dispensed with, if the jurisdiction were transferred to the Court of Chancery, He hoped, therefore, the House would pass these three clauses, which pledged them to nothing, and leave it open to the House to make some new arrangement at the opening of the next Session.

The Committee divided on the question, that the clause stand part of the Bill:—Ayes 44; Noes 37: Majority 7.

List of the AYES.

Aglionby, H. A.
Aldam, W.
Arundel and Surrey, Earl of
Bannerman, A.
Berkeley, hon. Capt.
Brotherton, J.
Brown, W.
Buller, C.
Burke, T. J.
Byng, rt. hon. G. S.
Clay, Sir W.
Craig, W. G.
Dundas, Adm.
Dundas, Sir D.
Ebrington, Visct.
Fox, C. R.
Gibson, rt. hon. T. M.
Gower, hon. F. L.
Grey, rt. hon. Sir G.
Hastie, A.
Hatton, Capt. V.
Hawes, B.
Hayter, W. G.
Hobhouse, rt. hn. Sir J.
Howard, Sir R.
Jervis, Sir J.
Macaulay, rt. hn. T. B.
Maule, rt. hon. F.
Mitchell, T. A.
Monahan, J. H.
Morpeth, Visct.
Morris, D.
O'Connell, M. J.
Palmerston, Visct.
Parker, J.
Pechell, Capt.
Perfect, R.
Romilly, J.
Rutherfurd, A.
Sheil, rt. hon. R. L.
Somerville, Sir W. M.
Thornely, T.
Ward, H. G.
Wood, rt hon. Sir C.

TELLERS.

Tufnell, H.
Rich, H.

List of the NOES.

Adderley, C. B.
Archdall, Capt. M.
Arkwright, G.
Baring, rt. hon. W. B.
Bennet, P.
Bentinck, Lord G.
Bentinck, Lord H.
Bodkin, W. H.
Boldero, H. G.
Borthwick, P.
Broadley, H.
Burrell, Sir C. M.
Clifton, J. T.
Courtenay, Lord
Disraeli, B.
Duke, Sir J.
East, Sir J. B.
Evans, W.
Filmer, Sir E.
Gardner, J. D.
Graham, rt. hon. Sir J.
Grogan, E.
Hume, J.
Inglis, Sir R. H.
Law, hon. C. E.
Lowther, hon. Col.
M'Carthy, A.
M'Geachy, F. A.
Manners, Lord J.
Masterman, J.
Nicholl, rt. hon. J.
Packe, C. W.
Spry, Sir S. T.
Vyse, H.
Wakley, T.
Williams, W.
Wortley, hon. J. S.

TELLERS.

Stuart, J.
Henley, J. W.

On Clause 2,

LORD JOHN MANNERS thought that the right hon. Baronet (Sir James Graham) was not consistent in confining his opposition merely to the first clause of the Bill. He trusted the Government would at once consent to withdraw it, as it was clear it could not be carried during the present Session.

Sir G. GREY observed, that persons conversant with the subject attached great importance to many of the clauses of the Bill after the first four. There might be a matter of doubt as to the first four clauses; but there was none with respect to the remainder of the Bill.

Mr. STUART WORTLEY said, that the best course to pursue, if they wished to get rid of the opposition, was to strike out the first three clauses of the Bill.

Sir G. GREY would not at that stage strike out the first clause, as it had been adopted by the Committee.

Mr. DISRAELI observed, that there had been a reconstruction of the Court of Chancery, and now Ministers admitted that it was a failure, and more especially that part relating to the Court of Review. They admitted they were going to make another experiment; all that was asked was, that the country should have five or six months for the consideration of it before it was made. The object of all should be, that the jurisdiction in bankruptcy should be as complete as possible. He certainly should again divide on the clause.

Mr. WAKLEY felt, after the division, that it was only his duty to urge the Government not to persist with the Bill during the present Session. In the division which had just taken place, 44 were for the clause, and 37 against it; and out of those 44 Members, not less than 20 were Members of the Government. Therefore, the fact was, that the clause was defeated by the independent Members of the House. The provisions of the measure were not known throughout the country, and there were some very unpleasant reports in circulation about it. It had been described to him as a job. This Bill had not been asked for by the public, and it had been concocted merely for the benefit of one or two parties. He had no facts to justify him in saying this, as they were only rumours. It was impossible to discuss the provisions of such a measure at that period of the Session. No one pretended to assert that this was a comprehensive measure; if, therefore, it was postponed, a much more satisfactory measure might be introduced next year.

The CHANCELLOR of the EXCHEQUER thought that it was hardly fair to describe the Bill as a job, when at the same time the hon. Member stated that he did not know of a single fact in support of his statement. If the hon. Member had listened to the statement of his hon. and learned Friend the Attorney General, he would hardly have designated it as he had done. The Bill had been on the Table of the House for twenty days.

Mr. J. STUART considered it to be a most improper course on the part of the Government to endeavour to force this Bill through the House after what had occurred. This was not a party question; but it was the duty of all to make a measure of this kind as perfect as possible.

The ATTORNEY GENERAL was surprised that his hon. and learned Friend did not divide on the principle of the Bill, as he seemed to entertain such strong objections against it.

The Committee divided on the question that the clause stand part of the Bill:— Ayes 47; Noes 40: Majority 7.

List of the Ayes.

Aglionby, H. A.
Aldam, W.
Arundel and Surrey Earl of
Bannerman, A.
Berkeley, hon. Capt.
Brotherton, J.
Brown, W.
Buller, C.
Burke, T. J.
Byng, rt. hon. G. S.
Cowper, hon. W. F.
Craig, W. G.
Dundas, Adm.
Dundas, Sir D.
Ebrington, Visct.
Fox, C. R.
Gibson, rt. hon. T. M.
Grey, rt. hon. Sir G.
Hastie, A.
Hatton, Capt. V.
Hawes, B.
Hayter, W. G.
Hobhouse, rt. hn. Sir J.
Howard, Sir R.
Hutt, W.
Jervis, Sir J.
Macaulay, rt. hon. T. B.
Marshall, W.
Maule, rt. hon. F.
Mitchell, T. A.
Moffatt, G.
Monahan, J. H.
Morpeth, Visct.
Morris, D.
O'Connell, M. J.
Palmerston, Visct.
Parker, J.
Pechell, Capt.
Price, Sir R.
Ricardo, J. L.
Romilly, J.
Rutherfurd, A.
Sheil, rt. hon. R. L.
Somerville, Sir W. M.
Thornely, T.
Ward, H. G.
Wood, rt. hon. Sir C.

TELLERS.
Tufnell, H.
Rich, H.

List of the Noes.

Adderley, C. B.
Archdall, Capt. M.
Arkwright, G.
Bennet, P.
Bentinck, Lord G.
Bentinck, Lord H.
Bodkin, W. H.
Boldero, H. G.
Borthwick, P.
Broadley, H.
Burrell, Sir C.
Courtenay, Lord
Denison, J. E.
Duke, Sir J.
East, Sir J. B.
Filmer, Sir E.
Gardner, J. D.
Graham, rt hon. Sir J.
Grogan, E.
Henley, J. W.
Hume, J.
Inglis, Sir R. H.
Jolliffe, Sir W. G. H.
Law, hon. C. E.
Lowther, hon. Col.
M'Carthy, A.
M'Geachy, F. A.
Masterman, J.
Miles, W.
Newdegate, C. N.

Nicholl, rt. hon. J.
Packe, C. W.
Rendlesham, Lord
Seymer, H. K.
Spry, Sir S. T.
Stuart, J.
Vyse, H.
Wakley, T.
Williams, W.
Wortley, hon. J. S.

TELLERS.
Disraeli, B.
Manners, Lord J.

Other clauses agreed to.

House resumed. Report to be received.

House adjourned at half-past One.

HOUSE OF LORDS,

Tuesday, July 13, 1847.

Minutes.] Public Bills.—1^a Recovery of Public Monies (Ireland); Herring Fishery (Scotland); Post Office; Navigation (No. 2); Mussel Fisheries (Scotland).

2^a Drainage of Lands (Ireland); Polling at Elections (Ireland); Joint Stock Companies; Stock in Trade (Exemption); Compensation for Damages (Ireland).

Reported.—Poor Relief Supervision (Ireland); Ecclesiastical Jurisdiction Amendment; Canada Consolidated Revenue Fund; Print Works; Turnpike Roads (South Wales); Shannon Navigation (Ireland).

3^a and passed:—Militia Ballot Suspension; Tithes Commutation; House of Commons Costs Taxation.

Petitions Presented. By Lord Brougham, from R. S. Lander, Jas. E. Lander, M. Claxton, and S. Gambardella, Artists, complaining of the Manner in which the Prizes offered by the Commissioners have been awarded, and praying that Three Artists of the highest Reputation may be invited from Germany, Italy, and France to decide on the Merits of the Works now exhibiting in Westminster Hall.

SEDUCTION AND PROSTITUTION (SUPPRESSION) BILL.

The Bishop of NORWICH, in moving the Third Reading of this Bill said, that he was sure every one of their Lordships must see the propriety of a measure calculated to put a stop to the evils alluded to in this Bill. At the same time it was not one for discussion, as it might excite unpleasant feelings.

Lord BROUGHAM protested against a Bill which would not admit of discussion. He warned the House against such a course of legislation as this, into which they might rashly enter, but from which they would find it difficult to withdraw. Who could tell him what was meant by seduction under this Bill, for there was no clear definition of it contained in it. Under it the vilest prostitute might proceed for penalties, and get a man imprisoned for a long period. All were agreed that, if possible, these detestable vices should be put a stop to; but they never could be effected under a Bill like the present. A morbid feeling existed on this subject, which prevented people coming forward and opposing an ineffective measure like this.

Lord DENMAN agreed in most of the observations of his noble Friend. They all agreed that it was most desirable to pass a measure which would put down a traffic in prostitution; but he feared, however, such a measure as this would lead to greater evils, in tending rather to encourage than suppress the vices aimed at by it. He hoped that the right reverend Prelate would withdraw the Bill, and he would lend every assistance with his noble and learned Friend to frame a more effective measure.

Lord CAMPBELL did not shrink from sharing any odium which might fall upon his two noble and learned Friends for the expression of their opinions on this subject. He fully concurred in thinking that this measure would do more harm than good. Such an attempt at legislation was not merely ridiculous, for it might be productive of great mischief.

The Bishop of NORWICH observed, that all had admitted the propriety of adopting some measure on this subject; but, after the expression of opinion of the three noble and learned Lords, he would not then press this Bill, but he trusted some more effective measure would be brought forward next Session to meet this most desirable object.

The Order for the Third Reading was then discharged.

FINE ARTS' COMMISSION.

Lord BROUGHAM presented a petition from R. S. Lauder, and J. E. Lauder, Marshall Claxton, and S. Gambardella, artists, complaining of the decision of the Commissioners who decided on the merits of the pictures now on view in Westminster Hall. They stated that those gentlemen, before they came to a decision and awarded premiums, had only two days to examine a very large number of oil paintings. They also complained that previous to their award, the pictures were not exhibited for a certain time, so that they might be exposed to the public taste and criticism. They suggested that it would have been much better to have taken advantage of public opinion by exposing them for a month or six weeks, than by arriving at a decision after an inspection of a few hours. They also complained that the art of painting and the art of judging of paintings was not an every-day matter, and could not be learnt in a week. They said it was not more easy for a person not educated in a knowledge of the fine arts to form a judgment on pictures, than it was for a person, ignorant of the art of war, to determine on the relative merits of the movements of two conflicting generals, or for a person who was not a lawyer to form a judgment on a point of law. Although they had the highest respect for the general capacity and general acquirements of the judges, yet it was certain that these judges had not devoted themselves to paint in oil; and although they might be good judges of other things, they might not be good judges of paintings. For his own part, he professed entire ignorance on the whole subject; he knew no more of it than the judges themselves; if that was possible, his ignorance was greater than theirs; but to his uninstructed vision, it did appear that much of the taste manifested in this exhibition, he meant in the selection for prizes, was very erroneous. Nothing, to his mind, could be more offensive than large battle-pieces. There was one of them with fifty men in red coats and white caps opposed to 3,000 or 4,000 foes. This was perfectly ridiculous. He was sorry that they were doing anything to perpetuate a taste of this kind, by proposing to cover the walls of that palace with such productions. The taste of the reign of George I. was not now admired. The Ministers of that day, most excellent and constitutional men as they were, would, no doubt, if the occasion had occurred, have covered the walls of such a building as this with what was conformable to the taste of the day; but if that had been done, the present age would have been anxious to pull such paintings down in order to get rid of such a nuisance. So now were our walls to be covered with the works of those who had received the prizes, aftertimes must rebel against our decision. If they could not get the best pictures, by the first artists, they should, at least, get those which had received the approval of the first artists, so that posterity might not have to repent of the fatal taste of 1847. For that purpose they should send for the most eminent men connected with the fine arts from Germany, Italy, and other countries, not to decide on the pictures, but to act as assessors and give their opinions.

The MARQUESS of LANSDOWNE made some observations on the subject which were inaudible in the gallery.

After a few words from LORD SUDELEY, petition ordered to lie on the Table.

MILITIA BALLOT SUSPENSION.

EARL GREY moved the Order of the Day for the Third Reading of the Militia Ballot Suspension Bill.

The EARL of ELLENBOROUGH: My Lords, Her Majesty's Ministers are responsible for the security of the country, and it is customary to leave to them the adoption of the measures they may think necessary for the attainment of that object; but when they ask us, as they do by this Bill, again to suspend a measure heretofore deemed to be of the greatest moment, as conducive to the security of the country, without proposing to substitute any more efficient measure of national defence, I cannot—taking into consideration the present circumstances of Europe and of this country—abstain from saying "Not content" to the third reading of this Bill. It is now eighteen years since, under the Government of the noble Duke at the Table (the Duke of Wellington), the ballot for the militia was first suspended; but how great has been the change in the relative position of this country and the States of Europe since that time! Can we now safely, as we might then, dispense with the militia, without substituting a better constituted force? It was Lord Chatham who first placed the militia upon its present footing. The preamble to the Act he passed shows his opinion of the measure. It is in these words—

> "Whereas a well-ordered and well-disciplined militia is essentially necessary to the safety, peace, and prosperity of this kingdom."

The militia, as established by that Act, and the Acts since passed for its amendment, may not be a force raised and formed in the best manner; it may be unpopular from the inequality of its pressure; it may practically impose a personal tax of very partial operation; the men it brings into the ranks may not be always of the best description—and it may be expedient to review the whole system—but still a well-ordered and well-disciplined force, acting in reserve and support to the regular Army, is essentially necessary to our safety, and it is most imprudent to part with what we have, however defective, without providing a more efficient force to supply its place. Look, my Lords, at the changes which have occurred in Europe since the Session of 1829, when the militia ballot was first suspended. In the year following took place the Revolution in France, which substituted upon the throne of that country the House of Orleans for the elder branch of the House of Bourbon. From that time to the present, it has been the constant policy of the Government of France, cordially supported by the Chambers, to make the most extensive and efficient preparations for eventual war. It has done this, while constantly protesting that the whole object of its desire was the preservation of peace. I do not question the right of the French Government to make these preparations for eventual war. The object of these preparations is perfectly legitimate. Their policy is, in my opinion, unquestionable. They tend to preserve France from the aggression of other Powers, by making them sensible that she cannot be attacked with impunity; but while I admit that France is justified in making these preparations with purely defensive objects, I cannot but be aware that every measure which increases defensive strength, must tend to increase offensive force, by rendering disposable the troops which would otherwise be required for defensive purposes. Whatever makes France more capable of defending herself, makes her, at the same time, more capable of attacking us. If to make these preparations be good policy on the part of France, to make no corresponding preparations cannot be good policy on our part; and to throw away, as is now proposed, the means of defence given by the Militia Act, must be a step of unjustifiable imprudence. But the change which has taken place in the position in France is not the only change which time, the greatest of all innovators, has effected in Europe since 1829. The Revolution in France was immediately followed by the Revolution in Belgium, the result of which was the separation of Belgium from Holland; but the union of those two countries under one government was the only direct compensation which we received at the general peace for all the sacrifices we had made during the war. The statesmen of 1815 termed the new kingdom of the Netherlands, brought into communication with Hanover by the cession of Friesland, our tête de pont upon the Continent. Within that tête de pont, we then, of Netherlands and Hanoverian troops, were considered to hold disposable, in support of our continental policy, an army of 100,000 men. Now, not only is Belgium severed from Holland, but the feelings of the Dutch are, it is to be feared, alienated from us, by our participation in the acts of the Powers by which that severance was sanctioned; and further, a more recent event has placed the Crown of Hanover upon an independent head, and given a purely German character to the policy of that country, which, under former circumstances, might have been expected to be identical with that of England. Henceforward, we shall probably see Hanover in subordinate co-operation with Prussia, rather than with ourselves, and the 25,000 good troops she could have brought into the field, will be disposable for the maintenance of other views than ours. It is true that the Powers which sanctioned the severance of Holland from Belgium declared that in all future wars Belgium should be a neutral State. I do not attach much value to such an engagement, which could hardly withstand the shock of actual war. Even if this engagement should be adhered to, it would increase the aggressive power of France, by giving to her entire security on an exposed frontier possessing no natural strength; but it is much more to be expected that Belgium will in a future war act as the ally of France, than that she should scrupulously observe the neutrality imposed upon her by these diplomatic transactions. But without reference to these great changes in the territorial divisions of Europe, and in the probable policy of some of its States, the relative resources of England and of other European States are no longer what they were in 1829—much less what they were in 1815—and it must be remembered that all power is relative. Great as has been the advance of this country in manufacturing and commercial and agricultural wealth, and in all the material elements of national prosperity, the advance of other countries of Europe has been still more rapid. The Peace found us in a state of progress; and that progress has been continued almost without a check; but the Peace found other countries in a state almost of suspended animation. Long and disastrous war had paralysed their productive energies. Peace gave to them a new existence. It was like the spring of the Arctic regions, which calls at once into life all the dormant vitality of nature. Since that period all Continental States have turned their attention to their currency and credit. In 1815 this country alone could raise a loan on any other than the most disastrous terms. Now, all States, although not equalling us in the extent of their credit, have at least the power of raising loans on no very onerous conditions; and the Emperor of Russia, the chief of the greatest military State, has lately appeared as the possessor of a large treasure—a circumstance unknown in European history. But what, in this general increase of wealth, and of resources amongst European States, most affects our position, is this—that, however great has been their improvement, in comparison with the improvement of this country in other respects, it has been most marked in the relative increase of their commercial marine. Further, the discovery of steam navigation, and the establishment of railroads, have, of late years, made a very disadvantageous change in the relative position of this and other States. A noble Lord, the Secretary of State for Foreign Affairs, on some occasion, represented this country as now joined to the Continent by a steam bridge. The expression was strong certainly, but it was not very far from correct. In former wars, our strength at sea, and all the uncertainties of navigation, arising out of tides and winds, rendered the Channel a defence almost always to be relied upon for the protection of our coasts from invasion; but now, not only must we disseminate our force much more for the simultaneous protection of many points all equally threatened by a novel arm in war, which may at once strike so many distant towns and harbours without affording notice of its approach, but the temporary superiority of the enemy in the Channel, even for a few days, would enable him to throw a mass of force, of almost any extent, upon any part of our coast: and it must be remembered, that while formerly much time was required to effect the concentration of a large number of troops, and to move them with all their materials, so that war could not be entered upon by surprise, now, a few days would suffice to bring together, to the points of embarkation, a preponderating force. Undoubtedly, railroads will also facilitate the defence of points attacked; but they afford the greatest advantage to those who assume the initiative. These are all circumstances in the general state of Europe which must permanently affect our future position; but there are, at the present moment, other circumstances well deserving your Lordships' consideration, as having an important bearing upon the security of the peace we are asked so confidently to rely upon. In France, we see at once in operation three distinct elements of change—each of itself sufficient to create anxiety—we see a distressed people, the State involved in financial difficulty, and the Government discredited by the recent disclosures of corrupt practices amongst eminent public men. These elements of change, all acting together, cannot but shake our confidence in the long continuance of the pacific relations of this country with France. The Government of France may desire the continuance of peace; but armies have proved to be sometimes too strong for their Governments, and have compelled the adoption of measures more in conformity with national passions, than with the dictates of prudential policy. There may exist, too, in the unprepared state of a wealthy rival, an inducement to sudden action, which even the most pacific Government cannot reasonably be expected to withstand. Then turn, my Lords, to the United States of America, and consider whether the events which are now passing there, afford us any ground for reliance upon the continuance of peace with them. For myself, I never regarded the settlement of our late differences with respect to Oregon, as more than a convenient truce accorded by the President to enable him to begin with the easier and more remunerative war with Mexico, and there to form the troops with which hereafter he might undertake, with improved prospects of success, the more arduous contest for Canada. Let not noble Lords suppose, because the Mexicans may not have proved themselves very dangerous enemies in the field, that therefore the Americans are learning nothing in this war. The most important things in war are not always learnt upon the actual field of battle. To move large bodies of troops in an enemy's country, presenting peculiar physical difficulties, with all necessary provisions of food and of military equipment—this, the great science, without which nothing of moment can be done, and by means of which all may be effected—this may be acquired in Mexico, even although the Mexicans should not exhibit on their side much courage, directed by much ability; but even what we have already seen, shows that the Americans have, since they were last engaged in war with us in Canada in 1814, made vast advances in all that contributes to the efficiency of an army, and are a very different enemy indeed from that we beat so easily at Queenstown. In population, in wealth, and in the internal communications of their provinces by canal and railroads, all contributing to facilitate military operations, their progress has been far more important. Be assured, my Lords, that six months will not elapse after the return of a victorious army from Mexico, before some new subject of difference will be discovered to afford a pretence for discussions, carried on in no friendly spirit, which will impose upon us the necessity of deciding whether we will at once abandon our connexion with our North American Provinces, or resolve to defend them at any cost. But is there no other circumstance in our present position, which imposes upon us the necessity of peculiar caution? Can we in prudence, when we are calculating upon the policy which foreign States may pursue with regard to us, abstain from taking into our consideration the new difficulty which the condition of Ireland has now brought upon us? In the current year, we have been called upon to advance on account of Ireland ten millions of money. Ireland has required the presence of our whole disposable military force, and the service of the largest portion of our steam navy. War with more than one of the secondary States of Europe would have been carried on at less cost, would have occasioned a smaller diversion of our force; and can we indulge the hope that next year this state of things is to cease? Her Majesty's Government can have no such expectation. They do not look upon the crisis as past. It is true we have passed an Act, of which the object is to throw upon Irish property the burden of relieving Irish pauperism; but property itself is pauperised by a calamity like that which has befallen Ireland; and there is no rational ground of hope, that for several years the people of Ireland can be fed without having some recourse to the resources of England. To what extent we know not; but this we know, that until affairs in Ireland have assumed a new and settled form, adapted to meet the new difficulty which has arisen out of the failure of the article of food, which has hitherto been principally relied upon by the people, Ireland is to us a source not of strength, but of weakness. And it would be idle indeed to suppose that foreign nations do not see these things; that they do not perceive how much our power is impaired; and it would be indeed dangerous were we to depend upon their not taking advantage of our embarrassments, and were we not to make provision for our security against their hostility. We may rely too long upon the recollection of our former victories. It is true, that the memory of what has been achieved in former wars may give confidence to our troops; it may inspire our enemies with salutary apprehensions; but our former victories have also left upon the minds of our enemies deep-rooted animosities, and have engendered in them the spirit of revenge. They have created jealousies even in the minds of those we assisted with our arms; and be assured, my Lords, that we can only depend for our future security upon the known reality of existing strength, not upon the shadow of our past reputation in the field. I know we have all the means of successful war. Our troops and our seamen have all their former courage. The officers of both services have the highest spirit of enterprise. In twelve months, well employed in preparations, we could be again a conquering Power in every quarter of the world; but to effect this, time is necessary, preparation is required. Without preparation, nothing is secure. In war, time is everything; and means, great as they are, can only be brought slowly forward. France is already prepared. If superior force, or circumstances, should give her for three days supremacy in the Channel, she could throw upon our coasts an army of any extent; and what have we to oppose to it? Such an event may not be probable; but it is not safe to rely upon improbabilities, and upon the forbearance of a rival, who has so often been an enemy, and who has so many former injuries and defeats to resent and to revenge. We can only prudently rely for our defence upon our own intrinsic strength. If the sudden invasion I have supposed should ever take place—if the French should cross the Channel, as the Sikhs crossed the Sutlej—depend upon it they would not commit the errors which then saved India. London may be taken by surprise as well as Canton. We can no longer rely, as in former wars, upon the constant and secure dominion of the sea. We have no longer the supremacy of the sea. In the event of a war with France, we should have to fight for that supremacy, and a severe fight it would be; and for the commencement of that contest France is better prepared than we are. Neither, since the introduction of steam navigation, will a general superiority at sea give the same extent of security which was derived from that superiority when fleets were composed only of sailing vessels. Then the tides and the winds imposed so much uncertainty and delay upon the movements of maritime expeditions, that much time and a long undisturbed possession of naval superiority could alone afford any reliable expectations of success in conducting them upon a great scale. Now, steam navigation, almost independent of tides and winds, gives facilities to the most extensive combinations of force, and a degree of certainty to all calculations of time, upon the correctness of which success in war mainly depends. My Lords, no one, I can assure you, feels more strongly than I do the urgent necessity of preserving peace, if we can. I know that a large portion of the people of this country depend for food upon the uninterrupted import of foreign corn, and a yet larger portion upon the uninterrupted export of our manufactures for the means of purchasing their bread. Peace is become more necessary to all nations, as well as to us, although not perhaps to the same degree. The whole character of war is changed: formerly, it was the collision of independent bodies; now, so intimately are all nations connected by trade, war would be like the violent disruption of the same body, and its evils would be of the most overwhelming and appalling nature. It is to preserve peace, to obtain time and opportunity for all the moral and social improvements we desire, that I conjure you to place our means of national defence upon a stable and efficient footing. Surpassing other nations in wealth, we should not rashly hold out temptations to their cupidity, which even were their Governments to remain desirous of peace, their armies might be unable to withstand. We cannot safely remain unarmed in the midst of an armed world. We alone, amongst nations, have neglected the means of national defence. We feel everywhere the effects of our weakness. We have recently felt it in our diplomacy—diplomacy is mere empty wordiness, if there be no force at hand to back it. Is it to be imagined that Her Majesty's Government would have allowed Spanish troops to enter Portugal, which should for ever to them have been a forbidden soil—a soil so long under our special protection—had they had disposable a British force, by which the object, if they deemed it necessary, could have been accomplished? Or have they not, in fact been driven by Spanish policy to a measure against which their own better judgment revolted in the first instance, because they possessed no disposable force wherewith to prevent its execution by Spain? I know, my Lords, it is an ungracious task, and most unacceptable, to endeavour to show to your Lordships that our naval position is not what it was on the evening of the battle of Trafalgar; nor our military position what it was on the evening of the battle of Waterloo; but it is my duty to place before you what I believe to be the truth. A great change has been effected in the relative position of this country and the Continental States of Europe; a yet greater change in the relative position of this country and the United States of America. There are, besides, circumstances at present existing, which make our position at this moment one of peculiar anxiety. All I desire, is, that the Government and Parliament would provide in time against the danger by which, if it should suddenly come upon us, we should be overwhelmed. We have ships, it is true, in sufficient numbers, but we have not men; and a fatal blow might be struck at the commencement of war, which would involve us in unspeakable calamity. The greater progress made by other nations since 1815, has, in fact, impaired our position with respect to them. Long and persevering, but, above all, instant exertions are required to enable us to retain our station as a leading Power in Europe. Time would enable us to get together a force which would overcome resistance and confer security; but that time will never be given to us by an enemy who had the sense to direct his operations with vigour at the commencement of a war. Timely preparation is commanded by every consideration of prudence; and be it remembered that we cannot exist in a state of mediocrity and inferiority. To exist as an independent nation, we must be great and powerful in arms. I desire not war, but the security of the country from war; and this we can only have by being prepared for war, and so deterring our enemies from attacking us. In conclusion, my Lords, I earnestly conjure Her Majesty's Ministers, not rashly, as they propose by this Bill, to give up a reserve force, which, however objectionable it may be, is yet one to which recourse can be had, unless, at the same time, they substitute some other better constituted and more efficient force for the security of the country and the protection of the interests of the people.

EARL GREY could not help regretting that the noble Earl at the close of his speech should have said that the diplomacy of this country had been crippled from the want of a sufficient force to sustain it. He (Earl Grey) denied that allegation; he asserted, and most confidently asserted, that this country had never yet flinched from maintaining in the very strongest manner what it believed to be its just rights. He (Earl Grey), for one, never would take part in carrying on its affairs if he believed that the persons by whom the Government was administered were prepared to act upon a pusillanimous principle. With respect to what had occurred in Portugal, he must inform the noble Earl that he was altogether mistaken in supposing that the course that had been adopted by this country in reference to Portuguese affairs, was taken in consequence of their inability to do what they thought to be right. He (Earl Grey) thought the expression of the noble Earl was, "they submitted to the dictation of Spain, because they had not the means of resisting it." Those of their Lordships who were present on the debate on the subject, would recollect that on that evening his noble Friend the President of the Council, when speaking on the question, had stated most distinctly the grounds on which Her Majesty's Government had acted. They adopted the course they had taken for a reason totally different from that which the noble Earl had stated. Spain might have acted without them, if they did not act; and the only reason why that should be acquiesced in was this—that under the circumstances Spain's own interest was involved; that she had, therefore, a right to act; that it was consistent with justice; and upon that principle they could not properly interfere with her. But he (Earl Grey) would not pursue that topic further. He entirely concurred with the noble Earl when he said that this country should always be prepared. He was prepared even to go further, and to say he concurred with the noble Earl in thinking that time had effected great changes in the course of the last few years, and that the military measures of the country had, perhaps, not kept pace with the exigencies of the times. If this Bill were really intended to give up any available means of defence which they now possessed, he (Earl Grey) would have concurred with the noble Earl in saying, that before they gave up one system of defence—even though it were a faulty one—they should be prepared to substitute something better. But he would remind their Lordships that they were not giving up anything that now exists. The militia had now practically been in disuse since the Administration of the noble Duke who sat at the Table (the Duke of Wellington) in the year 1829. The ballot was then for the first time suspended; and, he believed, only once since—he thought in the year 1831—the ballot had been in force. At that time it certainly was found that it worked in a manner that was far from satisfactory, and that the expense was very much greater than the advantages derived from it. The truth was, that in the altered situation of the country, and the great change that had taken place in society, the machinery of the existing militia law was not calculated to meet the exigencies of the present time. If they were to have an effective militia—(and that they ought to have an effective militia, or some other effective force, he admitted, and entirely concurred in the statement of the noble Earl on that subject)—if they were to have an effective militia, it was necessary not merely to abstain from passing what was now a regular annual Bill—the Bill for the Suspension of the Militia Ballot—but they should look into the whole subject of the militia. They should consider what alterations were required, and what improvements were necessary in the system by which the militia had heretofore been constituted, and the arrangement of any new system that might be required. As he had already said, they had not had a ballot since 1831; and there was not a single man whose services they had at that moment a right to demand, except the officers and non-commissioned officers who were still kept on pay; but they had not for a number of years an opportunity for practice; therefore it was really not a question now whether they were to part with an existing force, but whether they were to create a new one. If their Lordships should think it necessary to throw out the Bill that was now on the Table of the House, the result would be that by law the ballot must take place; while, at the same time, no provision would have been made for the expense of that ballot, and for producing an efficient force. He (Earl Grey) thought it was hardly necessary for him to go further than he had gone; but, at the same time, he must state, that the attention of Her Majesty's present advisers had been directed to the subject not less anxiously than that of the noble Earl. It was most undoubtedly a subject in which they had the greatest interest; and the first fruits of their consideration of it had been already seen. His noble Friend the First Lord of the Admiralty had taken up a plan which already had been under the consideration of the Board of Admiralty that was presided over by the noble Earl opposite; and his noble Friend, taking up that plan, had actually organized a very efficient force from the workmen employed in the dockyards. He had, to a certain degree, organized a force that was capable of rendering efficient service to the country at a very short notice. It was, he admitted, only a beginning; but still it was a beginning in the right direction, and a beginning of no very inconsiderable importance. Their Lordships would easily perceive that, for very obvious reasons, he now refrained from stating what the other measures were which they might have in contemplation. He could only assure the noble Earl that the subject was one of whose importance they were deeply sensible, and which they would not fail to consider. He trusted they should be able to propose to Parliament, and that Parliament would adopt such measures as should be calculated to place the country in a more perfect state of defence, because he entirely concurred with the noble Earl in thinking that the best security for peace is to be thoroughly prepared to resist attack. He, therefore, was most anxious that their hands should be strengthened, and that they should have increased means of defence at their disposal; although, at the same time, he most confidently trusted that there was nothing in the situation of the country at the present moment that would lead them to have any apprehension for the disturbance of that tranquillity which had so long lasted, and which he hoped and trusted would long endure. It was most true, as the noble Earl had observed, that the more intimate connexion of nations by the increase of commercial intercourse that had taken place since the termination of the war, would add greatly to the calamities which war inflicts upon all nations if a contest were now entered into; but that very circumstance rendered that contest still less probable than it otherwise might be. With that view he (Earl Grey), for one, attached the utmost importance to those measures which took away the trammels from commerce, and increased their intercourse with neighbouring nations. They were enabled to confer on each other blessings and increased abundance; and he looked to the measures of the last few years relieving commerce from the unwise restrictions by which it was formerly oppressed as of the greatest importance and advantage. He believed that it tended to lessen the danger of war; and that, by increasing the wealth and resources of the country, it increased our means and capabilities of defending ourselves in the event of hostilities being forced upon us. It was impossible to contemplate the result of the anxious year which had just closed without being struck by the beneficial, and in all respects most gratifying, effect which in times of remarkable calamity the commercial policy which had been recently adopted had exercised in increasing the revenue of the country, and with that revenue the means of making, in time of peace, befitting preparations for the season of war. In conclusion, he would only observe, that the measure now under consideration should have his unhesitating support.

Lord BROUGHAM was of opinion that his noble Friend behind him (the Earl of Ellenborough) had done a patriotic service to the country, and one which could not fail to secure for him the approval even of noble Lords opposite, by the statement which he had just made with his usual force, and in his characteristic, clear, manly, and nervous style. That opinion he (Lord Brougham) held unaffectedly; but while he did not hesitate to give expression to it, he thought it right to state that he should very much lament if it were to go forth that there was any, even the least, ground for alarm in this country on account of the state of our naval and military preparations. It was perfectly true that nothing could be more foolish, nothing more indicative of alienation of intellect, than a reluctance to look risks and perils manfully in the face, for nothing could tend more powerfully to disarm risks and perils of their evil consequences than the practice of boldly doing so; but he nevertheless would be very sorry that it should go forth that there was the slightest ground for apprehending that by reason of the weakness of our naval and military resources we were in such a state of imbecile preparation as might operate by way of temptation to unprincipled politicians in other countries. He said this with reference to what he deeply deplored being under the necessity of alluding to, and with reference to what he had hoped never to have been obliged to allude to, namely, the unprincipled and grossly dishonourable course of conduct pursued of late in other parts of the world by nations pretending to be lovers and votaries of freedom. Those scandalous breaches of common faith on the part of other countries had bound the nation together as one man in the determination to defend the glory and vindicate against them and their authors the honour of England. He did not anticipate war, certainly, in Europe, nor did he even expect it on the other side of the Atlantic; but there was one source of comfort which would also be a source of strength to this country, in any contest which she might be called upon to engage in. That source of strength, which they never before had enjoyed, he ventured to say they would now be found to possess, namely, that if any Power, either near or far, should dare to make war, or to do that which our honour as a nation required us to resent, there would not be found, in that House, or in the other, or in any portion of the community, either within or without doors, one single voice to be raised against calling forth all the resources of the empire, so that at length, and probably for the very first time in our history, we should be found in the position—*toto certandum corpore regni.*

Bill read 3ª, and passed.

POOR RELIEF SUPERVISION (IRELAND) BILL.

The Order of the Day for the House to be put into Committee having been read,

The Earl of ST. GERMANS objected, and moved that it be committed that day three months. Numerous exceptions might be taken to the measure, which was liable, amongst others, to this objection, that, by the arrangements which it contemplated, the Secretary for Ireland would be placed in the same inconvenient and perplexing position that the Secretary of State for the Home Department now occupied with reference to the English Poor Law, that of being obliged, whenever complaints were made as to the working of the system, to defer explanation until he had consulted with Supervisors, Commissioners, and other officials. The noble Earl was understood to urge the importance of connecting the administration of the affairs of Ireland with those of England, and to deprecate the establishment of a separate Poor Law Commission for Ireland.

The Marquess of LANSDOWNE was of opinion that the administration of the Poor Law in Ireland would be much better managed on the plan now proposed—that of making the Lord Lieutenant and Chief Secretary for Ireland co-ordinate authorities with the Commissioners for its administration—than under the system of consolidation advocated by the noble Earl. This advantage would attend the proposal of the Government, that the parties having the administration of the measure being resident in Ireland, would of course have a direct and personal knowledge of the local circumstances of the country; whereas the proposal of the noble Earl would involve the necessity of a complicated machinery very difficult to work, and with which it would not be possible to realize any such advantage as that which he had described. No doubt there should be assimilation as much as possible; but when the situation of the people was so entirely dissimilar, the persons most conversant with the state of the poor here were not thereby the most qualified to administer the Poor Law in Ireland. At the same time, he (the Marquess of Lansdowne) was not at all disposed to close this subject for ever. He felt that this was an experiment, and that Parliament was bound not to tie up its own hands either on the principle of the experiment, or the mode in which it was to be carried into effect; and the appointment under this Bill must not stand in the way of any future combination of authority for the administration of the Poor Law which experience might show to be advisable. Although it was intended to give an independent authority under this Bill to the Chief Commissioner, yet the Government were of opinion that it would be much better just at present that he should act concurrently with the Lord Lieutenant and the Secretary for Ireland, and they had accordingly provided that it should be so. But, at the present period of the Session, it would seem to be unwise to refuse to assent to this measure, and he should certainly oppose the Motion of the noble Earl.

Lord MONTEAGLE would support the Motion of the noble Earl (Earl St. Germans), for he greatly preferred the system which would connect the administration of the Poor Laws in both countries. Besides, the office of Lord Lieutenant of Ireland was not likely to be permanent; and the present was not a proper period, therefore, for conferring additional powers on that functionary. Mr. George Nicholls, in his Report in 1837, declared himself averse to separate systems of administration. He said—

> "The law would be similar in both countries; but the practice might, and probably would, become widely different in each, as was the case

in different parts of England under the old Poor Law Administration. With two Commissions there might possibly be no unity of principle—there would certainly be no unity of action, and consequently no unity of result. Unless the existing English Poor Law Commissioners should be unequal to the additional duty, the above reasons would seem to be conclusive against a separate Commission."

Lord John Russell, on the introduction of the Irish Poor Law, in the same year, spoke as follows:—

"We propose, instead of forming a separate Commission for Ireland, that the Poor Law Commissioners for England should have the power of carrying the law into effect there. I think this is a better mode of proceeding than by establishing a new Board of Commissioners. It is far safer that we should have persons already intimately acquainted with the operation of the law. It is far better that they should form a part of, and have the power of communicating from time to time with the Board in England; because, if we establish a separate Board of Commissioners in Ireland, a totally separate Board, we shall probably, in the course of a few years, find the Commissioners of England and Ireland acting upon totally different principles."

When the Poor Law was originally introduced into Ireland, it was founded on the union of the administrative body for Ireland with that for England. If that safeguard was necessary then, it was doubly so now; for by the present law the important power, in the existing state of Ireland, of giving or withholding out-door relief, would be at the arbitrium of a single individual. He would ask, whether there was the slightest possibility that the Secretary for Ireland, overloaded as he was at present by most responsible duties, would be able to execute the functions imposed by this Bill? When the Secretary for Ireland should happen to be in his place in Parliament, then the whole burden of these functions would fall on the Under Secretary, whose business was already sufficiently irksome, for it was known that the late Mr. Drummond had fallen a victim to the cares of his office. Thus the provisions of the present Bill would throw a fresh incumbrance on the Irish Secretary, interpose a new difficulty in the way of administering the Poor Law in Ireland, and thereby expose it to the greatest possible danger. He should, however, be sorry to be a party to stopping the progress of the Bills (the Poor Relief Supervision (Ireland) Bill, and the Poor Laws Administration Bill, though he would be willing to lend his assistance to amend them, or so to amend the latter Bill as to make it applicable for the administration of the Irish Poor Law.

The EARL of ST. GERMANS explained that he proposed, in the event of the House agreeing to the rejection of the present Bill, to move some alteration in the English Bill so as to render the administrative body therein constituted capable of superintending the administration of the Irish Poor Law.

LORD MONTEAGLE expressed his concurrence in that principle.

The EARL of WICKLOW was understood to contend against the separation of the administration of the Irish Poor Law from that of the English, and to object to the additional burden proposed to be thrown on the Irish Secretary, who would be constantly harassed with questions of detail in the House of Commons. The Poor Law Commissioner should have a moral control over the administration of the law in Ireland; and the people should be assured that whatever took place in regard to its execution, had his sanction; and the best check over the Commission in Ireland would be the knowledge that the Chief Commissioner in England, who was to have a seat in Parliament, and who would be bound by the duties of his office to be in possession of every thing relating to the administration of the law, was responsible for its administration in Ireland. He felt that the Government had committed a great error in this Bill, and he agreed with the Amendments that had been proposed.

The EARL of ROSSE observed, that the duties that would fall upon the Irish Commissioners were as arduous as any that could possibly be imposed upon any functionaries; and they should be men intimate with the whole social condition of Ireland. He had the greatest respect for the gentlemen who composed the Commission for the administration of temporary relief: the gallant General at the head of it was a man of consummate judgment. But, able and zealous as the other Members of that Commission were, he thought they were scarcely in possession of all that information which would enable the gallant General to anticipate and meet all the difficulties of the case. If that Commission had been differently constituted, he could not help thinking that better rules and regulations would have been drawn up, and different restrictions imposed. He trusted that the Government did not underrate the enormous difficulties that the Commissioners would have to encounter in working out in Ireland a system that had been found unsatisfactory in the best agricultural unions in England. The report of the Relief Commissioners contained ample evidence of what those difficulties would be. It had been supposed, indeed, that the Irish landlords would afford the Commissioners great assistance in those difficulties; and he was quite convinced that they as a body—he did not speak of the small proprietors of some forty or fifty acres, who were called landlords in Ireland, but would not be so considered anywhere else—would do their utmost to support the Government in fairly and fully carrying out the law. But the power of the landlords had been much overrated; and it would be a great mistake to suppose that they would be capable of affording the same amount of assistance as English landlords could give under the same circumstances. And here, in justice to the Irish landlords, he wished to mention one fact, which he trusted would be borne in mind whenever general statements were indulged in against that body. Those who had paid attention to Irish affairs must remember that for the last fourteen or fifteen years a certain portion of the press had been in the habit of attacking the Irish landlords. To carry on this system, it was necessary these papers should have correspondents in all directions over Ireland, for some facts must be collected on which to base the comments which appeared in leading articles. The consequence was, that these correspondents were scattered all about the country, watching the conduct of the landlords; and their Lordships would remember, that at the beginning of the Session—not in that House, but elsewhere—when general charges were made, the answer made was, "If these charges are well founded and generally applicable, there can be no difficulty in bringing forward individual cases, and giving names, dates, and places." What was done? Some cases were brought forward, indeed, including one gentleman in Cork, and a noble Lord; but in every instance the charges were disproved. He would only add, that he considered the Irish Commissioners ought to be connected with the English Commission, in order to secure the former from being influenced by the pressure of public opinion, and to enable them to protect the boards of guardians in the performance of their duties.

The **Marquess** of **CLANRICARDE** was understood to express his regret at differing from his noble Friends on this subject; but he did not think they had taken into consideration the present state of the law in Ireland. The question in both the English and Irish Bills was the connecting the administration in both countries with the Executive Government; and it would be a departure from the principle which had been adopted, if in the case of Ireland the administration was not connected with the Lord Lieutenant. It would, in fact, be absurd to have Commissioners in England connected with the Executive Government, and Commissioners in Ireland entirely disconnected with the Executive Government.

On question that "now" stand part of the Motion:—Resolved in the *affirmative*. House in Committee accordingly. Bill reported without Amendment.

House resumed.

House adjourned.

HOUSE OF COMMONS,

Tuesday, July 13, 1847.

Minutes.] Public Bills.—1° Consolidated Fund.

2° Bishopric of Manchester; Commons Inclosure (No. 3).

Reported.—Constabulary Force (Ireland), &c.; Destitute Persons (Ireland, No. 3); Public Works and Drainage (Ireland); London Bridge Approaches Fund; Canal Companies; Trust Monies Investment; Copyright (Colonies).

3° and passed:—Recovery of Public Monies (Ireland); Poor Removal Act Amendment (No. 2).

Petitions Presented. By Mr. T. Duncombe, from Operatives of Sydney (New South Wales), against Transporting Convicts to that Colony.—By Sir T. Baring, from Merchants, Bankers, and Traders of London, for Alteration of the Bank of England Charter Act.—By Lord G. Bentinck, from John Quail, M.D., for consideration of the Claims of British Auxiliaries (Portugal).—By Mr. T. Duncombe, from James John Harley, of Cork, for Inquiry into the Case of William Beamish Cuthbert.—By Lord G. Bentinck, from the Lara Relief Committee (Monaghan), for the Encouragement of Emigration.—By Sir W. Clay, from Inhabitants of Wapping, against the Repeal of the Navigation Laws.

BISHOPRIC OF MANCHESTER.

The Order of the Day for the Second Reading of the Bishopric of Manchester Bill having been read,

Lord J. RUSSELL said: In moving that this Bill be read a second time, I wish to say a few words in explanation of its object. The Ecclesiastical Commission appointed many years ago to inquire into the ecclesiastical state of England and Wales advised in its report that two bishoprics should be united to other dioceses, and that two new bishoprics should be created. The bishoprics to be united were Bristol and Bangor—Bristol was to be united to Gloucester, and Bangor to St. Asaph. The two new bishoprics to be created were Ripon and Manchester. The first arrangement was carried into effect, there being no well-founded objection to it, and the see of Bristol was united to that of Gloucester. The bishopric of Ripon was also created, to the great relief of the archdiocese of York, which had so increased in population, that it had become a very laborious diocese to the archbishop. The arrangement with respect to the bishopric of Manchester was not carried into effect; it was not till last year that a vacancy occurred in the sees of St. Asaph and Bangor; a vacancy was then created by the death of the Bishop of St. Asaph. Considerable objections had been made to the union of the two sees, and in the course of last Session a Bill was brought into the other House of Parliament, against the influence of the present Government and the opinion of its predecessors, repealing the Act which united the two dioceses. It was carried in the House of Lords, and sent down to this House; the Government then stated it was not prepared to accede to it, but it undertook to consider the subject generally, and to take into consideration other arrangements which, it seemed to them, if any change was made in the proposition of the Ecclesiastical Commissioners, might be beneficial both to the Church and the country. The Bill for uniting the two sees was founded on the principle that the whole number of the bishops ought not to be increased; that if two bishops were created, two other dioceses ought to be united; it was thought, if any increase in the number were made, not merely one but several new bishops should be created. I wrote a letter to that effect to the Archbishop of Canterbury, who called together a meeting of the bishops on the subject; and they agreed that there was *primâ facie* ground for proposing the creation of four new bishops. That, however, is not the proposition of the present Bill; it only goes to the creation of a single bishopric, that of Manchester; and what the House has to consider with regard to the second reading of this Bill is—first, whether it thinks the objections made to the union of the two sees of St. Asaph and Bangor are sufficiently strong to induce it to repeal the Act passed some years ago for uniting them; and secondly, if it is of that opinion, whether it will assent to the creation of a bishopric of Manchester as a separate see, without the bishop having a seat in the House of Lords. I confess I am of opinion that the strong feeling manifested in the principality of Wales, and the Church generally, against the union of the sees of St. Asaph and Bangor, is a sufficient ground for reconsidering that measure; and it is most desirable that it should be reconsidered in the present Session of Parliament, for this Bill having been delayed, if an Act is not passed on the subject this Session, and if it unfortunately happen that the Bishop of Bangor died before an Act was passed, then the existing Act must be carried into effect, and there will be a suppression of the see of Bangor. If the House is of opinion that it is desirable the two dioceses should be maintained separate, then it will be necessary to agree to the proposition in the course of the present Session. With regard to the second point, the diocese of Chester is of such a size that it may well occupy the attention of two bishops. I will read from the report of the Commissioners a statement of the extent of the two dioceses of Chester and Manchester, should the object of the present Bill be carried into effect. The population of the see of Chester will be 912,449, its area 1,408 square miles, the number of parishes 202. The population of the bishopric of Manchester will be 1,123,548; it will extend over an area of 1,220 square miles, and include 313 parishes. If the House approves of the establishment of these two bishoprics, it will agree to the second reading of this Bill. With regard to the question of the seat of the new bishop in the House of Lords, Her Majesty has been advised, instead of issuing a writ to the new Bishop of Manchester to take his seat, that the number of bishops sitting in the House of Lords should remain the same as at present, and that the new bishop should not take his seat there. The regulation is founded on the principle that the number of bishops sitting in the House of Lords is sufficient, and that there is no reason for increasing them. But combined with that proposition is an arrangement which will be, I think, very much for the convenience of the country and the bishops newly nominated. When a vacancy occurs on the episcopal bench, instead of the Bishop of Gloucester or Exeter taking his seat at once in the House of Peers, the Bishop of Manchester will be summoned, and the junior bishop will remain without a seat till the next vacancy. I shall not enter into details which may be discussed in Committee; I have only stated what is the principle of the

Bill, and I now ask the House to agree to its second reading.

In answer to a question from MR. COLLETT,

LORD J. RUSSELL said, the creation of other new bishoprics was not an immediate part of the plan of the Government. The new Bishopric Commissioners would presently make their report to Her Majesty's Government; all the essential parts of that report were agreed to. Among the recommendations it was proposed there should be a Bishop of St. Albans, to relieve the diocese of London, another bishop to relieve the dioceses of York and Lincoln; and a Bishop of Southwark. It was also proposed to create a Bishop of Bodmin, to take the county of Cornwall. But these proposals must form the basis of another Act of Parliament; it was certainly quite competent for the House to agree to this Bill for establishing a bishopric of Manchester, and to refuse its assent to any other proposition.

SIR R. H. INGLIS could hardly trust himself to express the feelings he entertained towards his noble Friend, for what he had now brought forward, the spirit in which he had brought it forward, and for the ulterior measure which he had in view. [Mr. WAKLEY: Hear, hear.] He hoped the hon. Member for Finsbury (Mr. Wakley) cheered that expression of feeling with cordiality. He almost feared to praise his noble Friend, lest his praise should imply too severe a censure upon those who, entrusted with the same power, and professing higher principles with regard to the Church, had failed to do so much. It would better suit the convenience of the House, however, if he abstained from entering into the general question, and limited himself to the particular measure now on the Table. He had no doubt that other opportunities would be afforded for going into the general question during the discussion of the measure in its other stages; at all events, when the ulterior measure came to be considered, the opportunity would then be afforded of considering the Church in relation to the population, and to its claims on the State. He most cordially concurred in the double proposition contained in the Bill, namely, that of preserving the two independent bishoprics of St. Asaph and Bangor, the preservation of which, humanly speaking, was to be attributed to the untiring energies and zeal of his noble Friend, in the other House, the Earl of Powis. But these energies might have been frittered away in a vain and useless effort to accomplish the object, if his noble Friend (Lord J. Russell) had not lent his powerful and, he believed, his conscientious support to the retention of the two sees, and to the maintenance of the existing ecclesiastical system, the efficiency of which was threatened by the Act passed a few years ago. Although he owed so much to his noble Friend for preserving these two bishoprics, and his proposition for the creation of a third, he (Sir R. Inglis) could not express the same approval of the mode in which it was intended to effect the change. He did not expect that such a mode of effecting a great good would be adopted, since it was hardly consistent with the moral courage which his noble Friend possessed. He seemed to have shrunk from placing the proposed new bishop in that position in the hierarchy which bishops had enjoyed in Britain from time immemorial, to the great advantage of the community. Whatever reasons there might have been for continuing for a thousand years, long before the date of Parliamentary history, the civil influence of the hierarchy of England, those reasons existed in their full integrity in favour of giving to another bishopric the same social position, the same representative character on behalf of the Church, which the existing bishops at this moment exercised. He thought the number might be safely increased, not by one bishop merely, but by many, in order to bring the relation of the Church to the people more nearly to the proportions at which it stood three centuries ago. Was any one present not fully aware, that before the time of the Reformation, the number of prelates, including mitred abbots, in the House of Lords, was much greater than that of the laity? Nay, even 300 years ago, the spiritual Peers of England bore a large proportion to the temporal Peers; and although four or five new spiritual Peers were created by Henry VIII., still the proportion in 1547, as compared with that in 1847, was much greater. There were many persons, however, who, doubting the wisdom of maintaining this ancient proportion merely on that ground, were desirous of seeing an increased number of bishops, with a view to the ecclesiastical functions of the hierarchy being more efficiently discharged. In the time of the Reformation, when the population was only 5,000,000, Henry VIII. provided for the appointment of twenty-six suffragan bishops; and certainly, if the noble Lord were not prepared to accord the same social and civil position to the bishops now about to be created as had been given to their brethren of other dioceses, it might have been wished that the old law, passed in the reign of Henry VIII., had been revived, and acted upon; and that this mode of supplying the spiritual wants of the population had been preferred. This might have been done without the intervention of that House. Nothing more would have been necessary than for the bishop or archbishop desiring a suffragan, to name two persons to the King or Queen; and one of these could be selected by the Crown; the powers of the suffragan being defined and limited according to the commission, and the power of the different suffragans varying therefore in different dioceses. An ignorance almost astonishing prevailed with respect to the existence of this Act of Parliament, and the power of the Crown to call it into immediate exercise. By the 26th Henry VIII., c. 14, the Crown was authorized to call into existence suffragan bishops of twenty-six places, namely, Colchester, Dover, Guilford, Southampton, Dartford, Bedford, Gloucester, Shrewsbury, Nottingham, Grantham, Hull, Berwick, the Isle of Wight, &c. Nothing more was requisite than an application "to the Queen's Majesty, and the Queen shall select one." He was surprised that this power should be so little known and regarded, and that the Crown had not been advised to call this power into existence. At this moment, with a population of 15,000,000 instead of 5,000,000—with an increased desire for the spiritual instruction of the Church—with an increased desire for supervision by the episcopal body, he could not but regret that his noble Friend did not deem it consistent with his duty to recommend, in the first instance, the bishops to invoke the aid of the Crown for the creation of suffragan sees. He knew that some persons held that great difficulty would be felt in providing for these suffragans; but he believed that that difficulty was greatly overstated. By the Act of Parliament to which he had referred, each suffragan might hold one living, or even two. That was no doubt an objectionable mode of providing for the spiritual superintendence of the great body of the people, and particularly that there should be a mixing up of different duties; but everything in life was for the most part founded on a compromise, and with the view of avoiding a greater evil, a lesser one was to be adopted. But even if it had so happened that no provision had been made for the suffragan bishops by law, he thought that zeal would not be wanting in the way of supplying funds sufficient for the maintenance of clergymen, who, according to the law of the Church during many centuries, could not be subjected to the expense of attendance on Parliament. The noble Lord wished to create a different order of bishops who would occupy an unprecedented and anomalous position; the inconveniences would prove to be manifold, and he would have preferred taking the powers granted by the law as it at present stood, in favour of suffragan bishops, rather than have called forth more bishops of the present ecclesiastical class, but with inferior civil rank. He wished also to impress his noble Friend with the error which he was committing in depriving the bishop who might last be created, of a seat in the House of Lords. The effect would be to introduce into Parliament a person older than Parliamentary life generally required. His great constitutional objection, however, was, that the Crown would now be deprived of the prerogative which it had possessed even before there was a House of Lords, of investing the hierarchical body with a legislative character in the constitution of England; and, indeed, of calling up to the House of Lords, according to the practice of many centuries, every bishop who was appointed to any see; and, taking that view, he looked upon this part of the measure as a gratuitous evil. The noble Lord would have had no more difficulty in retaining the old form, and making each bishop a Peer, than he had experienced in bringing in this Bill. Opposition would have arisen in both cases; but in the one position he would have had a principle on which to defend himself, and in the alternative which he had chosen, he had cut the ground from under his feet. He could have wished also, that his noble Friend, in introducing this measure, had considered more generally the alarming spiritual destitution of the great body of the people. To this subject, he had desired especially to call the attention of the Government; but as the morning sitting was limited, and as he believed another opportunity would occur of expressing his sentiments, he should not detain the House. He concurred cordially in the general proposition of his noble Friend; and it was only from a sense of duty, that at this stage of the Bill he had mentioned his objections, not so much to what the noble Lord had done, but to what he had left undone.

Mr. HORSMAN spoke to the following effect:*—Mr. Speaker, in rising to move the Amendment of which I have given notice, I feel that I must bespeak, to an unusual degree, the indulgence of the House. I am about to enter at some length into a subject to which I am impelled only by the long and serious attention I have given it; and in approaching it I feel almost overwhelmed, as much with the importance of the question itself, as with the consciousness of my own inability to deal with it as it deserves. I shall have not only to deal with arguments and facts, but with some facts which may seem to convey a censure on the public conduct of eminent individuals. I must ask, therefore, more than the usual indulgence of the House—I must bespeak its kind and generous construction of the spirit and the motives by which alone I am impelled to undertake a difficult, and, in some respects, an unpleasant task. Concurring with the hon. Baronet who has just sat down (the Member for the University of Oxford), in doing full justice to the motives by which Her Majesty's Government are actuated in proposing this measure, I come to a very different conclusion from him as to its merits. I object strongly to this Bill. I object to it, because it touches the most important of all questions that can be brought before us, and touches it feebly, and mischievously. It provides an effectual remedy for no evil—it asserts no principle—it points to no end. But it changes without reason—it innovates without justification—it removes old landmarks without setting up new ones in their place. Above all, it evades that most momentous question now forcing itself upon us, of a confessedly insufficient Establishment, with a lamentably neglected people; and if, in its principles, it be the most important Bill introduced this Session, its introduction at this particular moment, when it cannot be considered or discussed, renders it the most objectionable. The Bill touches three main questions; and on every one of them deviates as far as possible from the truth. First, it repeals a most important section of the 6th and 7th William IV., cap. 77, on which, according to the best authorities, both ecclesiastical and lay, all the subsequent proceedings of the Ecclesiastical Commissioners are founded; secondly, it excludes from Parliament, without reason alleged, on their next appointment to their sees, the bishops who have hitherto sat there either in right of their baronies, or by a writ of summons the same as other Peers; and, thirdly, it provides for the application of the surplus funds now under our control to purposes not hitherto contemplated by Parliament. It is not necessary for me to show, that in all these points the Bill is wrong: it is enough for me to prove their importance to be such, that pressing them on, without time for deliberation, cannot be right. These are all great changes—the greatest that have been submitted to us this year; and at this late period of the Session, when, day after day, the Government have been abandoning measures of minor importance on the plea that the time was too short, and the attendance of Members too thin, to get proper attention given to them, I want to know, why we are called upon, within ten days of the rising of Parliament, to pass, without deliberation or discussion, one of the most important measures with which this Parliament has had to deal? Now, as to the first point. If there was any one provision of the Act of 1836, on which all parties were agreed, it was the union of the sees of St. Asaph and Bangor—the surplus accruing from which was to be employed in the augmentation of their poor livings. That arrangement remained undisturbed till 1843: but in that year, a noble Earl in the other House of Parliament, proposed for the first time to set it aside. Of the abilities and character, and well-deserved influence of that noble Earl, we have the best proofs in his success on this very question; his untiring energies have been well eulogised by the hon. Baronet, who preceded me; and all who have witnessed his exertions must speak of him with admiration and respect. But who was it that resisted most stoutly his proposition? Who, but the heads of the Church—the Archbishop of Canterbury, and the Bishop of London? And on what ground? Because, said the right rev. Prelates, the two sees united would be almost the smallest in existence, containing in all only 253 benefices; whereas, those of Gloucester and Bristol united under the same Act, and, as experience had proved, with advantageous results, had each of them separately more benefices than the two Welsh sees together, Gloucester containing 281, and Bristol 254, benefices. In all the dioceses of England and Wales, the average number of benefices is 418—St. Asaph and Bangor united, had not much more than half that number. Again, the average population of dioceses being 550,000, St. Asaph and Bangor united had but 339,000; and of these, the great majority are Dissenters. The Archbishop added, that he had taken the advice of those most competent to assist his opinion on the subject; and they agreed with him, not only that the duties might be performed by one bishop, but also that they would be extremely light. Such being the opinion of the highest ecclesiatics, what was that of the then Ministers of the Crown? The Duke of Wellington did not content himself with the reasons of the Prelates. He took higher ground. "The Bill of the noble Earl," he said, "if passed into a law, will have the effect of repealing part of that Act of Parliament, which is the very foundation of the powers given to Her Majesty by Her Orders in Council. Indeed, my Lords," he added, "it will suspend immediately the operation of that Act." Such also was the opinion and the language of the Marquess of Lansdowne, acting as the mouthpiece of the present Government since their accession to office. Well then, I say, that as to the proposed separation of those sees now, the Government may be right, or they may be wrong; but they are disturbing an arrangement very advisedly adopted: it was proposed by the Bishops—ratified by Parliament—defended and upheld, as of vital importance, by succeeding Administrations; and it ought not any rate to be set aside, suddenly and hastily, without Parliament being even permitted to reconsider it. And see how one false step leads on to another. You perpetuate the sees of St. Asaph and Bangor, but dare not give up the bishopric of Manchester, which was made contingent on the union of those sees: you, therefore, create an additional bishopric—and do so in violation of the principles which yourselves laid down. In the very first paragraph of the Church Commissioners' Report, they say that they cannot recommend an increase of the number of bishops; and the noble Lord—the present head of the Government—who introduced the Act of 1836, declared that he should abide faithfully by the recommendation of the Commissioners. Being further interrogated, he replied, that the Bishop of Manchester would certainly have a seat in Parliament, as other bishops then had. Both these assurances are set at nought by this Bill. The number of bishops is increased —and the new bishop has not a seat in Parliament. A new and anomalous element of ecclesiastical representation is introduced; one that is objected to by the Member for the University of Oxford, and on which grave doubts and difficulties have been felt by very high authorities both in and out of the Church. The Bishop of London, whom I will cite as an example, thus expressed himself in the House of Lords, only last year upon it:—

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* From a corrected report, published by Ridgway.

> "I apprehend that to create certain bishops without seats in this House would lead to injurious comparisons between them and others who had seats, and eventually to a generally inclination to dispense with the attendance of bishops in the House of Lords. There are some advantages," (he added) "in the proposal, but there is also this difficulty, that by the constitution of Parliament, the bishops sit by virtue of their baronies; and if the precedent should be introduced of a bishop who might ultimately succeed to a seat, but who did not actually hold one by virtue of his barony, how is the constitutional principle upon which bishops hold their seats to be maintained?"

Now to this question the right rev. Prelate may since have found an answer: the doubts which distracted him last year, may, as regards him, have been dispelled. But they are still entertained by others; and that they should have been for a long time formidable to him, proves that they have some foundation. Why is Parliament, which was told of the difficulty, not also favoured with the solution? But our opinion is not asked—our functions are superseded; and this Bill, involving serious principles and changes, is hurried through with as little ceremony as if were merely a Bill for granting new powers to a commissionership of sewers. But now I come to the more tangible and practical—what may be called—the more business part of the subject. You ask us to create four new bishoprics. There is a sum of 17,000*l*. a year, present and prospective, to be expended; and you ask us to say that the best mode of expending it is by creating four additional bishops, providing them also, as we must do, with four residences. costing, if we take the last palace built for the Bishop of Ripon as an estimate, 60,000*l*. The question for us to decide is this: Is this the best mode of applying the money? I say, it is not; and that, with the amount of spiritual destitution now existing in the country—the parishes without residences for clergy—the clergy without incomes—and the perishing poor without clergy to attend to them, it ought to be our aim to improve upon the pious wish of George III., who hoped for the day when every poor cottage in his dominions would have its Bible. Our aim should be to let every poor cottager have his religious teacher to assist and encourage him to read it. Before, however, we proceed to entrust to the Ecclesiastical Commissioners fresh powers and resources, I think it would be as well to ascertain how they have employed those which we have given them hitherto. The inquiry is appropriate and interesting; and I can assure the House it will prove instructive. I wish to speak of those Commissioners with perfect respect. I think Parliament has been much to blame in the constitution of such a Commission—composed of about fifty individuals, constantly changing, and the ecclesiastics all of one order in the Church. I think the Commissioners have committed great errors. As a public man, it is my duty to comment on those errors; but in doing so, I trust I shall avoid anything personally disrespectful to the eminent individuals, to whom only in their public character I am entitled to refer. I address myself solely to official acts, and will confine myself to such remarks as form a legitimate Parliamentary commentary upon those acts. The Ecclesiastical Commissioners were appointed in 1836—appointed by Parliament for certain purpuoses specified in the Act. They were to be recipients of certain funds to be laid out for certain purposes. The funds were from two sources: one was the surplus revenues of certain rich episcopal sees; and the other the proceeds of the suppressed canonries and sinecures, &c. The first fund was to go to the augmentation of poor sees; the last to the augmentation of poor livings. From these two sources the Commissioners have received, to the date of their last report, presented a few days ago, about 351,000*l.*; namely, from the richer sees (which they carry to what is called the Episcopal fund) 157,000*l.* and from the other source (which they carry to the Common fund) 194,000*l.* This is taken from the reports of the Commissioners themselves, which, however, are not very clear and intelligible; and the task of unravelling them is one of difficulty. But in any statement I make of their receipts or outlay, I shall carefully restrict myself to such as I can substantially verify by a reference to their own reports presented to this House. The sum received I have stated as 351,000*l.* This was over and above the sum of 600,000*l.* which they were permitted to borrow under Sir Robert Peel's excellent Act of 1843, and of which no account whatever has been rendered—a statement having been given of the new districts created, but not of the money spent upon them. The mode of applying the funds entrusted to them was, as I have already said, distinctly laid down by Act of Parliament; the one fund was to go to the augmentation of poor sees, the other to the augmentation of poor benefices. And there was this limitation interposed, by the recommendation of the Commissioners themselves, that the endowment of new sees was a question not recommended and not to be entertained. It was calculated that the proceeds of the richer sees would barely suffice for the augmentation of the poorer ones: no surplus was anticipated; consequently, the application of any surplus was not provided for. But it turns out that the calculation was erroneous, and that the funds of the richer sees were more than were required for the original purpose. A large surplus has accrued, which has been added to from other sources; and the Commissioners, after exhausting their powers of augmenting the poor sees, and providing fit residences for bishops, have had over and above to spare. Let us see how they have employed it. When the Commission was established there were in England and Wales altogether—

Benefices		10,553
Of these without any residence upon them . .	2,878	
Without fit residence . .	1,728	
Total without fit residence	4,606; or two-fifths of all the parishes in England.	

The income of these 10,553 benefices was 3,055,441*l.*; averaging 285*l.* per annum. Of these there were—

Under 50*l.*	per annum .	297
From 50*l.* to 100*l.*	„ . .	1,629
From 100*l.* to 150*l.*	„ . .	1,602
From 100*l.* to 200*l.*	„ . .	1,355
From 100*l.* to 300*l.*	„ . .	1,978
		6,861

So that there were—

Under 300*l.*	per annum .	6,861	benefices,
And under 150*l.*	„ .	3,528	„

Now, let us turn to what the Commissioners have done towards supplying these wants:—

Of 4,606 parsonages required, they have built	69
Of 3,508 livings, under 50*l.*, augmented . .	636
The cost to the Commissioners of building these houses, half having been defrayed by local and private contributions, has been	40,637*l.*
Average cost of a house 1,200*l.*	
The cost of augmenting benefices has been (averaging 54*l.* to each cure) .	126,684*l.*
Total on poor livings . .	167,321*l.*

Now, let us see what has been done for episcopal requirements, according to their own return:—

In augmenting poor sees from 1837 to 1843	40,664*l.*
Ditto from 1843 to 1847 . . .	65,724*l.*
On episcopal residences	143,014*l.*
Total	249,482*l.*
On poor livings . .	167,321*l.*
Leaving a balance in favour of episcopacy	82,081*l.*

But if we analyse this expenditure, the results are yet more extraordinary. By the law, as lately remodelled by the Commissioners, a poor rector, without a house, must build one for himself; and for that purpose he may borrow, on the mortgage of his living, a sum equal to three years' income, to be paid in thirty years by thirty annual instalments. Similar was the law regarding bishops; and the present Archbishop of Canterbury did borrow 60,000*l.* on mortgage for the improvement of his palaces at Lambeth and Addington, for which he is now paying interest. But the Ecclesiastical Commissioners, overflowing with episcopal wealth, have taken upon themselves to reverse all that; and while the law remains unchanged as regards the obligations of the poor parson, they have repealed it as regards the rich prelate, and thrown him on what they please to term—and of that I shall speak by and by—the Episcopal Fund. The law, as they have themselves framed it, allows them to build fit residences for the bishops—fit residences, that is the term. Let us see what is an Ecclesiastical Commissioner's idea of a fit residence for a bishop. They had built, or purchased, or improved the residence of eight bishops, and at the following sums:—

Ripon . . .	16,111*l.*
Bath and Wells	3,000*l.*
Exeter . . .	3,500*l.*
Oxford . . .	6,500*l.*
Worcester . .	7,000*l.*
Gloucester . .	23,627*l.*
Rochester . .	28,832*l.*
Lincoln . . .	54,444*l.*
Total	143,014*l.* averaging 18,000*l.* six of them averaging 23,000.

So that the account stands thus:—

Comparing the outlay on episcopacy with that on poor livings—balance in fa- of the former, of	82,081*l.*
But comparing with poor livings the cost merely of episcopal palaces—balance for the palaces of	16,330*l.*

Now, it must be admitted that in this particular department of their labours—in advancing the interests of the Church by a due regard to the temporal comfort of the hierarchy—the Ecclesiastical Commissioners have evinced a zeal and devotedness worthy of the noblest cause. And when we turn from their pathetic, heartrending lamentations over the spiritual destitution of their flocks, to this contemplation of their own flourishing finances, we are reminded of that very pious and benevolent individual, who was so powerfully affected by a charity sermon, that he plunged both hands into the pockets of his neighbour, and cast all he found there into the plate. I know it may be said, that of this money only a portion was from the Episcopal Fund; * the rest being derived from sales and exchanges of property pertaining to those sees. The very figures I have quoted, showing an outlay of 249,402*l.* when the Episcopal Fund only received 157,000*l.*, are enough to prove that fact. But it does not affect my argument. The money—from whatever source it came—was so much hard cash paid into the Commissioners' account, under the authority of an Act of Parliament, and spent. They were the trustees of those funds; and whether we say they were trustees for the bishops, or the Church, or the nation, they are as responsible for a judicious, and not wasteful, expenditure of them as any other trustees to any client. The question is not, whether the purposes to which the money was applied were legitimate; my charge is, that the outlay was so extravagant as to be a very serious breach of trust and abuse of power. And I wish to persuade the House that when we have now additional funds at our disposal, it would be well to direct them into the poorest and hitherto most neglected channel. Up to this time, in the division of church funds, episcopacy has had the lion's share; and this becomes still more apparent, if we examine in detail the condition of the eight sees in which this wonderful outlay has occurred. In these eight dioceses, there were no less than 502 benefices under 100*l.* a year. Of these there were—

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* It is said that the greater part of the outlay in the see of Lincoln was not in building the palace, but in buying the estate on which it stands. This does not much mend the matter. The Commissioners were empowered to build residences, but not to buy estates; and on referring to the Order in Council under which the purchase of the estate of Rischome was made, the house is set forth as the object of the purchase; the extent and value of the estate are not hinted at, and Her Majesty's sanction is asked and obtained only to "provide a fit residence for the Bishop of Lincoln." The Commissioners' defence now is, that having obtained money for one purpose, they applied it to another. But even then, why do they give us no account of the rents, &c. of the estates purchased?

Under 10*l.* a year . . .	1
10*l.* to 20*l.* „ . . .	8
20*l.* to 30*l.* „ . . .	10
30*l.* to 40*l.* „ . . .	18
40*l.* to 50*l.* „ . . .	49
Total under 50*l.* . .	85

That is to say, there were in those eight dioceses, where the enormous sum of 143,000*l.* has been expended on episcopal residences, no less than eighty-five clergymen of the Church of England—gentlemen and scholars—receiving as their pay less than 3*s.* a day, which is below the wages of the masons employed on those buildings. Eight out of the number were receiving as little as 13*d.* a day, and one actually receiving 6½*d.* And, strange to say, by a still more unhappy coincidence, the greater the parochial necessities of the diocese, the larger the episcopal outlay. In Gloucester, where 23,000*l.* have been laid out, there were 97 benefices under 100*l.* a year. In Lincoln, where 54,000*l.* have been expended, there were 218 benefices under 100*l.* a year. Now, a sum of 65,000*l.* would, by the Commissioners' tables, have raised every poor living (and there were no less than 1,442) to 200*l.* a year, leaving an average of 9,000*l.* to be expended on each palace. What has actually been expended in augmentations in those sees? On residences, as we have seen, 143,000*l.*; on augmenting poor benefices, 5,259*l.*—or one-twenty-eighth of the whole. And when we consider that these pauper clergymen, as we may term them, are men as well born as the bishops—as well taught—having gone through the most expensive process of education—and that their influence depends on their maintaining the position of gentlemen—(on 6*d.* a day! less than the earnings of their poorest parishioners!—it would be ludicrous if it were not horrible!)—I am compelled to ask the question once before put by an eminent divine—

> "Why is the Church of England to be nothing but a collection of beggars and bishops?—the right reverend Dives in the palace, and Lazarus in orders at the gate, doctored by dogs, and comforted by crumbs?" *

The same writer furnishes an answer in a subsequent page:—

> "The truth is, there are but few men in either House of Parliament (Ministers or any one else), who ever think of the happiness or comfort of the working clergy, or bestow one thought upon guarding them from the increased and increasing power of their encroaching masters. What is called taking care of the Church, is taking care of the bishops; and all Bills for the management of the clergy are left to the concoction of men who very naturally believe that they are taking care of the Church when they are increasing their own power."

Such being the facts, and a further large sum, present and prospective, being at our disposal, I revert to the question—are we to affirm the (to me at least) startling dogma of the Ecclesiastical Commissioners, that all the surplus proceeds of the bishoprics, whatever they may rise to, are sacred to episcopal, and would be desecrated if applied to parochial, purposes? I want to hear some justification of that doctrine—I want to hear if Her Majesty's Ministers—the Ecclesiastical Commissioners now present—adopt it; I hope they will tell us clearly and distinctly whether they adopt or vindicate, or whether they repudiate or disown it—on this point we must have their answer. I can well understand a resident in Durham insisting that the proceeds of that bishopric shall be laid out in that diocese, and that Durham episcopal revenues should constitute a Durham episcopal fund. But if you take 10,000*l.* a year from Durham and lay it out in Glo'ster, what cares the dispossessed Durhamite whether in Glo'ster it is applied to episcopal or parochial purposes? You seize it on the plea, that you want it for the Church—that it is needed, not for the service of the bishops, but for the service of religion, and you must apply it to that service wherever it is most needed, and will do most good. Else observe what happens; the case was so well put in the House of Peers by Lord Stanley, that I will use his words instead of my own:—

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* The Rev. Sidney Smith.

> "Suppose that instead of the sum of 5,000*l.* a year, which you now have, and which you can apply to the endowment of the newly-created see, it increased in a few years, not to 10,000*l.*, but to 15,000*l.*—not to 15,000*l.* but to 20,000*l.*—would you wish now to lay down the rule, that all future surplus was to be applied to the purpose of increasing the number of bishoprics? Well, but that is a very grave question—and we should understand it before we give our votes."

And so say I—let us understand this before we give our votes. I hope the explanation of the Secretary of State, who is going to follow me, will be frank and explicit on this point; and the more so, because there is an impression abroad, that this measure has been introduced, not so much to meet the necessities of the Church, as to relieve the necessities of the Ecclesiastical Commissioners; and by perpetuating the distinction between Episcopal and Common fund, defeat all attempt to apply the former to parochial purposes? This scheme was deemed vitally essential to the Commission, otherwise their rapidly accruing wealth might escape out of their control. The augmentation of poor sees does not exhaust it—a surplus accrues. Baronial edifices are raised; and domains, with political influence in view, appended to them. All in vain—still the tide of wealth flows in and threatens to overwhelm them. What is to be done? The mine may be hidden for a while; but the prying eyes of Parliament will ere long suspect it, and the profane hands of Parliament will dig it out. In a lucky moment they bethink themselves of the New Bishops' expedient, and they fly for succour to the noble Lord. He assented, as might be expected, to the very laudable object of new bishops, but excused himself only on the difficulty of endowment. This was exactly what the Commissioners desired; the noble Lord having assented to the bishops, they charged themselves at once with their board and lodging; the sum is only 17,000*l.* a year for one, and 60,000*l.* for the other—a mere trifle—easily forthcoming. They are disincumbered forthwith of their embarrassing burden; and at the next meeting of the Board the overjoyed Commissioners congratulate each other on the country having at last a Premier who is such a real friend of the Church. Now I am one of those who think that Church does not mean clergy. I think the congregation is one of its component parts—aye, and the most important; and I stand up for the right of the congregation to be consulted in this matter. I now take leave of the Ecclesiastical Commissioners' account, and the measure of Her Majesty's Government, and I come to another branch of this most interesting subject. I have shown you how inadequate is the provision for your working clergy; that 4,537 are without houses, and 2,971 with incomes under 150*l.* a year. I have shown you, in this respect, how little you fulfil the ends of an establishment, as wisely laid down by Lord Bacon:—

> "It is a constitution of the divine law," says Lord Bacon, "from which human laws cannot derogate, that those which feed the flock should live of the flock—that those that serve at the altar should live of the altar—that those which dispense spiritual things should reap temporal things—of which it is also an appendix, that the proportion of the maintenance be not small or necessitous, but plentiful and liberal."

I have shown you that such is not the provision you have made hitherto, or that you are making by this Bill. But I have spoken to you only of poor livings, and houseless incumbents; I will now take up a still more important and disheartening theme; I will give you the number of your population, and, comparing them with your working clergy, show how many millions of your people are not only inadequately ministered to, but not ministered to at all. The picture is an appalling one, and deep and solemn is the responsibility of those who would legislate hastily and imperfectly on the subject. The population of England and Wales, in round numbers, is sixteen millions—

There are churches and chapels . .		13,154
" Clergymen altogether . .		16,010
Of which having no duties to attend to . . .	1,568	
" Dignitaries, Heads of Colleges, &c. . .	1,147	
Chaplains in Men-of-War, and on Foreign Stations .	372	
		3,087
Leaving total of working clergy .		12,923

From this number considerable deductions might still be made; but I would rather overstate than understate the number. This would give one clergyman to every 1,230 of population: but there are parishes with a population of—

Under 100 . . . . 1,907 parishes,
„ 300 . . . . 4,774 "

Total. There are therefore in 6,681 parishes 1,623,900 of population.

That is, in three-fifths of the parishes, there are only one-tenth of the population, leaving nine-tenths of the population in two-fifths of the parishes in England and Wales. Thus, therefore, there are 6,681 of the clergy occupied with only one-tenth of the people, leaving to the rest of the parishes only an average of one clergyman to 4,000 of population. But even this average, if we relied on it, would mislead us: for the parishes again are so unequally divided, that you have often one clergyman, and one church to 10, 20, and even sometimes to 30,000 of population. I have in my hand a table of seventeen metropolitan districts, as they were last autumn; of its acccuracy there can be, I believe, no doubt.

Parish.	Population.	No. of Clergy with cure of souls.	Proportion.
St. George's, Southwark	50,000	5	1 in 10,000
St. George's East	42,000	4	1 — 10,500
Poplar	21,000	2	1 — 10,500
Limehouse	22,000	2	1 — 11,000
Shadwell	10,000	1	1 — 10,000
Spitalfields	21,000	2	1 — 10,500
Shoreditch, St. Leonard	35,000	3	1 — 11,666
„ Hoxton	24,000	2	1 — 12,000
„ Haggerstone	19,000	2	1 — 9,500
Clerkenwell, St. James	30,000	2	1 — 15,000
„ St. John	8,500	1	1 — 8,500
St. Luke, Old Street	15,000	2	1 — 7,500
„ St. Barnabas	14,000	1	1 — 14,000
Newington, Surrey	60,000	7	1 — 8,570
Christ Church	15,000	2	1 — 7,500
St. Anne, Soho	17,000	2	1 — 8,500
Stepney, St. Dunstan's	25,000	3	1 — 8,300

But the character of these neglected districts is even worse than the numerical tables would show. A Scripture Reader was sent into the district of Westminster, in which we are now sitting. This is his report. He says—

> "On the first day I visited families containing 150 individuals, and of these 100 had no home in the Christian church—no preference for any mode of Christian worship. On the second day, the proportion of these persons was yet larger, 70 being their complement to 19 who owned a relation to one body of Christians or another. On the third day, by far the best, it is just half and half. On the fourth, for 16 church-people and 14 dissenters, we have 62 with black letter N annexed. And the numbers on the fifth day are almost exactly the same. So in the metropolis of Christian England, out of 550 persons visited and talked with in succession, 360, or nearly two-thirds, had no such connexion with the Church as to be assignable to any one religious body."

Now this seems to me precisely the case for which Dr. Chalmers suggests the remedy; but it is not the remedy in this Bill. He says—

> "'The great object of legislation,' we are told by Lord Henley, 'should be to secure to each parish the daily, constant, and personal attention of a man who shall have no other public duty, but that of watching over the souls of his flock as one that is to give account. His quiet week-day ministrations may be made a thousand times more profitable to their souls and bodies than the most spiritual of his sabbath duties.'"

Dr. Chalmers adds—

> "A house-going minister wins for himself a church-going people. And his week-day attentions and their Sabbath attentions go hand in hand."

With such a state of things as this, Sir, I say he is a bold Minister who will take any additional funds at our disposal and cast them to the prelates. This Bill bears the plausible title of a Bishopric of Manchester Bill, but it would be more fitly termed a Spiritual Destitution Bill—a Bill for perpetuating the poverty of the clergy, and confirming the destitution of the people; and it shows an ignorance of what is going on in the community, and especially in the religious portion of the community, to propose such a Bill. The Bishop of London has lately said, speaking of the increased strength and efficiency of the Church, that it is all the doing of the Ecclesiastical Commissioners. Was there ever a more empty boast? The Ecclesiastical Commissioners have expended about 70,000*l.* a year of trust money. But I hold in my hand a list of societies, mainly supported by the laity, who have been up and doing in this great work, whereby a sum approaching to half a million a year has been annually subscribed and expended by them under the most judicious and economical regulations—every sixpence being carefully laid out. I speak only of Church of England societies, and those mainly indebted to the laity for their funds. In these details I have omitted all reference to the Dissenters—not that I under-estimate their numbers or their services—but because, in discussing the Government scheme, I accept the Government principle of providing for the religious instruction of all the people. That a great portion of the want is supplied by other labourers in the vineyard—by men, who, rejecting Establishment discipline, are not at variance with the Establishment on the great fundamental truths of Christianity—I am but too happy to acknowledge. I have met those men in the cottages of the poor, and I have sat with them at the tables of the rich; and having witnessed their earnest piety, and ofttimes the fruits of their active and benevolent labours, I can only say, that wherever their object be to dispel ignorance and save souls, my heart is with them, and I pray God to prosper their exertions, and bless them in their righteous work. It has been beautifully said—

> "What is a Church?—let truth and reason speak,
> And they will say, The faithful, pure, and meek
> From every fold—the one selected race
> Of all communions, and in every place."

If I had time, I should have liked to have gone into some statistics regarding the Dissenters, and the extent to which they supply the deficiency we complain of; but though at another time they might not have proved altogether uninteresting or unacceptable to the House, I will not now abuse its indulgence, on which I have already trespassed at such length. I have now one part of the subject on which to say a few words. The proposal of the Government lies in a narrow compass. They ask us to expend on four bishops what would provide 133 additional clergymen—to lay out on four palaces what would build seventy-five churches, containing each a congregation of 600. Our choice lies, therefore, in the present state of the country, between four bishops, or 133 clergy—four palaces, or seventy-five churches. Her Majesty's Ministers have not explained to us wherein lies the necessity for these bishops, or the number which they consider eventually desirable. It is evident they do not stop at four; but we hear in other quarters, and some of them of high authority, that there is a need for 4,000 more clergymen and of sixty additional bishops to make the work of superintendence efficient and complete. How can they ever expect to get anything approaching that number? And is it desirable they should, whatever be the necessity, if the new bishops were to be of the same order as those we have already? I think the distance in this country between rich and poor is too great everywhere; but nowhere is the gulf so wide and so deplorable as between the prelates and their clergy. If you must have more bishops, they must be of that order which the Member for the University has suggested—an order more in accordance with the feelings and necessities of the time, and through whom the benefits you desire might be safely and effectually attained. In the Church's earlier days suffragan bishops were an useful and efficient body; and their appointment, the necessity once proved, would not be so unpopular as increasing the number of your baronial prelates. The hon. Baronet apprehended there might be some difficulty about the payment. I think I can show how to overcome that. Take at once the whole number of bishops you desire—take sixty suffragans; place them in the great towns and populous districts, with ample, not extravagant salaries, say 1,500*l.* a year—requiring in all 90,000*l.* a year. Dividing then our population of 16,000,000 into eighty-six districts, there would thus be about 186,000 in each, and the means of superintendence would be complete. But then comes the pay; and on this point the Member for the University of Oxford anticipated difficulty. I am prepared to show how it may be got over, and in this way. No one can have cast his eye over our cathedral towns without observing how little their great establishments contribute to the sacred purposes for which they were intended. Not only have the Church services degenerated into cold and unimpressive forms, so as to lead virtually to a discontinuance of congregational attendance; but the system of non-residences and pluralities, abolished everywhere else, has an effect decidedly injurious to religion. It is notorious that in our cathedral towns there is the least education and the most dissent. Now I propose to attempt some remedy for this. And I do so upon the plan suggested by one who must be held a very high authority, since it was to him that the Government were indebted for their measure in 1836. Every leading provision of their Act was taken from Lord Henley; on one practical point only did they materially depart from his suggestions, and that was on the constitution of the Commission in which experience has proved that he was right. In Lord Henley's plan of Church Reform, accompanied by a letter to the King in 1832, he makes this proposal, with regard to the cathedrals:—

"In the administration of the cathedral property, the first consideration which naturally arises, is that due consideration be made for the celebration of cathedral service. For this purpose (as one great object will be the abolition of every thing approaching to a sinecure that can be dispensed with) it will be most convenient to entrust the performance of divine service exclusively to the dean, assisted by such a number of chaplains as shall be deemed necessary. As his residence will be for nine months in the year, he should perform the same quantity of public duty as the incumbents of our great London livings. But as there will be no occasional duty—no registries to be kept—no vestries to attend—no visiting of the poor and sick, his labours will be extremely slight."

In each cathedral now there is a dean whose average income is 1,680*l.*—four canons with average incomes of 800*l.*—and six minor canons, each with 150*l.* Reckoning the cathedrals at twenty-six (there are more, but one or two may be poorer than I have said) the return stands thus :—

	Average Income.	Total.
26 Deans	£1,680	£43,680
108 Canons	800	83,200
156 Minor Canons	150	23,400

Now, if in accordance with Lord Henley's proposal, we reduce this establishment to a dean with 1,000*l.* a year, and the minor canons, we shall leave 1,900*l.* a year for the cathedral services, and have the following surplus :—

	Incomes.	Surplus.
Deans 26	£26,000	£17,680
Canons 0	0	83,200
Minor Canons 106	234,000	
		£100,880

Here, therefore, is a sum of 100,000*l.*; more than sufficient for the most extravagant number of suffragans that would be wanted. The advantages of this plan would be threefold : — first, you get the whole amount now paid to the Ecclesiastical Commissioners' Episcopal and Common fund, for the augmentation of poor livings; secondly, you bring in your cathedrals to aid the general wants of the country, establishing a resident clergy, between whom and their congregation ties and sympathies are formed, and you elevate the tone of your cathedral service; thirdly, you get, if you need them, more bishops, and without any difficulty either as to number or payment. Prove the necessity before Parliament, and it will thus supply your deficiency by an addition to the Episcopacy of an efficient and popular body, who will form a link between the prelates and the clergy—aiding the one, controlling and encouraging the other. While, however, I express this preference for suffragan bishops, supposing more bishops to be needful, I think I have given a picture of parochial destitution sufficient to prove that the evil is of a very different character, and needs a very different remedy. Our first thought must be for our parochial poor: our first duty is to bring home religious instruction to them. Of this too I am quite sure, that an enlargement of the Episcopacy would not alone make it more efficient. Other improvements are required—into those I will not go now, but two changes are especially required. You must raise the qualifications of your candidates for orders, and you must give superannuation allowances to your aged prelates. On this last point, who does not inwardly acknowledge the truth of this painful but not merely imaginative picture ?—

> "The worst of all cases is that of a superannuated bishop. Here the preferment is given away by wives and daughters, or by sons, or by butlers, perhaps, and valets, and the poor dying patron's paralytic hand is guided to the signature of papers, the contents of which he is unable to comprehend."*

Sir, I have not exhausted the subject; there are other most important considerations on which I will not now enter; but in a large and comprehensive scheme, such as I should wish a Government to introduce, they cannot be overlooked. I have said enough, however, to show that the present Bill is inappropriate and mistaken. It is so wide of the mark as to be almost a mockery; as much so as if, when there was a famine in Ireland, you had done nothing but send over four Lords Lieutenants. But there you set to work more wisely—you sent over an efficient working staff; practical men, acquainted with the habits and necessities of those whom they went to succour. And now in England, where you have a spiritual famine, will four new bishops feed the people? Why don't you act here as you did in Ireland—send a hardworking, and efficient staff, composed of men who will inquire personally into the wants of the sufferers, and minister to them; who will visit them in their sickness, soothe them in their sorrows, support them in their trials, and comfort them in the hour of death. I will now conclude, Sir, by reading to the House a portion of that earnest, and feeling, and manly and generous appeal, which one of our most active laymen,† addressed lately in his character of a Christian and a layman, to the Archbishop of Canterbury :—

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* The Rev. Sidney Smith.

† Letter of Henry Kingscote, Esq.

"Many of the laity, I rejoice to say, feel that they must act like men who are accountable to God for their wealth and social standing. The gross darkness which broods over many districts near our homes and churches, they will try to penetrate with the light of the everlasting Gospel. Idly they dare not wait while time moves on, and souls are gathered so fast to their account; but they desire above all feelings to follow where you shall lead—they feel that every measure they propose will be doubly efficacious if it shall have, from the heads of the Church, something better than a cold approval. We tender to you in this cause our active services, our worldly substance, the time of our busy citizens, the name and far reaching influence of our higher gentry. Let me entreat you to accept our offer, or give us in return what we will most thankfully accept at your hands—some more comprehensive scheme which shall make the Church's teaching co-extensive with the people's wants."

He adds again—

"The responsibility of the state of things I have described rests somewhere—it rests in a measure on all who can do something—it presses heavily on those who can do most. My Lord, I do but give utterance to the thoughts of ten thousand bosoms when I tell you, looking at the place you fill, the resources within your reach, and the present temper of our public men, that immensely more might be done in this direction by the heads of the Church if they had the heart to do it."

That heartfelt appeal to the head of the Church I address to the head of the Government; and I tell you, my Lord, that this choice is now before you. You may, if you are ill-advised enough, proceed on some miserable motive of shortsighted, political expediency, which I cannot pretend to unravel, with this temporising and shallow makeshift, which I will not dignify with the title of a measure; or, by taking a more comprehensive course, worthy of the subject and of yourself, you may aim, as I conjure you to aim, at fulfilling a more exalted destiny, by bequeathing to after generations the example of a Christian statesman whose first care was for the condition of the poor; and who left his name, already illustrious, engraved in deep characters of spiritual life, on the hearts of a reanimate and religious people. The hon. Member, in conclusion, moved, as an Amendment, the following resolution:—

"That, at this late period of the Session, it is not expedient to proceed with a measure which, involving new and important principles deserving of the utmost consideration, would be more fitly discussed in another Session of Parliament on the introduction of a general and comprehensive scheme for increasing the efficiency of the Church, and lessening the spiritual destitution of the people."

SIR G. GREY said, that as his hon. Friend, in proposing the resolution which had just been seconded by the hon. Member for Athlone, had expressed his most unqualified opposition to this scheme, he (Sir G. Grey) regretted that his hon. Friend did not at once move that the Bill be a read a third time this day three months, instead of proposing a resolution which expressed no hostility to the Bill, but only declared that at this late period of the Session it was not expedient to proceed with it. He hoped the House would excuse him from going into that extensive range of subject which had been embraced by the speech of his hon. Friend. The principal objection of his hon. Friend to the Bill appeared to be that it was not comprehensive enough; and this his hon. Friend explained by giving the House a sketch of his own scheme, which involved the creation of no less than sixty suffragan bishops, to be supported at the expense of 90,000*l.* a year to be paid out of the existing revenues of the the deans and chapters of the cathedrals of this country. Without entering into the question whether there ought to be any suffragan bishops appointed or not, he was afraid that if his hon. Friend waited until his own comprehensive scheme of appointing sixty should be adopted, before attempting to afford any assistance to the Church, the conclusion all parties would arrive at would be that they must remain in *statu quo*, and that nothing could be done to remedy the defect in spiritual superintendence and in the care of souls among the people. His hon. Friend had adverted to the great increase of the population of this country and to the crowded state of the towns and cities of the empire within comparatively the last few years. He pointed out that there was an inadequate corresponding increase in the pastoral advisers of the people, and a great deficiency in the means of religious and moral superintendence, and concluded by declaring his readiness to join in remedying these evils. But the hon. Gentleman altogether overlooked the great increase of the clergy in this country, the great increase of churches; and while he dwelt upon the acknowledged zeal and efficiency with which the clergy discharged their laborious duties, he altogether omitted to notice the importance of the superintendence which the Episcopal Body exercised over the whole. His hon. Friend had treated the bishops as being merely the recipients of the public money. He believed that the duties of the bishops, when faithfully performed, were of the most important character. He believed that in some of the more populous dioceses the efficiency of their labours could be traced, not only in the increased number and vigilance of their clergy, but in the increased zeal of the laity in the works of charity, and in the raising of funds and voluntary contributions for the spiritual benefit of the people. But the real question which the House had to meet was, whether twenty-four should be the limited number of bishops for this country? If not, then the question which his hon. Friend had raised was, should that number be increased to sixty, and to no less? If this were really the view of his hon. Friend, then he ought at once to move the rejection of the Bill. Let him propose that until the House were willing to adopt his own scheme, nothing should be done to increase the number of the bishops. His hon. Friend had adverted to the report of the Ecclesiastical Commissioners, and stated that they did not recommend an increase of the number of the bishops. Whatever opinion the Commissioners might have expressed upon the subject, with their measure of information and experience at the time they made their report, it could not be contended that the Government and the Legislature were under any obligation to adhere to an opinion expressed some ten or twelve years ago by men who at that time were not disposed to recommend an increase of bishops. But since then there had been a great increase of churches and clergymen; and he did not believe that any one of those Commissioners would now adhere to the opinion which they had formerly expressed. His hon. Friend appeared to hold that the course marked out by the Ecclesiastical Commission was one by which the Government and Parliament were to be bound for all after time. He confessed he could not assent to any such opinion. Then, with regard to the distinction between the special and general fund applicable to spiritual purposes, he was aware that Parliament had drawn a distinction between the two funds; and if this Bill should be rejected, that distinction would still exist. At the same time he thought it most desirable that both these funds should be made available for the general purposes of rendering more efficient the spiritual instruction of the people through the instrumentality of the Established Church. He thought his hon. Friend misunderstood the purpose of the Bill, in supposing that it recognised the séparation of the two funds. He did not, however, think that these topics had any relation to the Bill before the House. The real question was, whether this new bishopric was required or not? Had his hon. Friend looked at the statistics of Lancashire? Had he considered the state of the population, the increase of the clergy, and the increased labour thrown on the bishops in that part of the country? Take the bishopric of Chester for example. Did his hon. Friend mean to say, that that diocese ought to remain in its present state? His hon. Friend did not; but then he said that this Bill would be no remedy for the evil. He did not understand whether his hon. Friend meant that no remedy for the evil could be applied short of his own scheme. If so, then he (Sir G. Grey) was afraid that all remedy whatever must be indefinitely postponed. But he differed from his hon. Friend, and thought that the measure which the Government now proposed was at least taking one step in the right direction. His hon. Friend adverted at great length to the conduct of the Ecclesiastical Commissioners. That subject was not now under the consideration of the House. The whole matter had been referred to a Select Committee of the other House of Parliament; and it would be inexpedient for the House now to enter into a discussion of the proceedings of that Commission. He did not, at the same time, mean to say that the Commissioners were in all things entirely free from blame; but when his hon. Friend spoke of the amount of money which had been laid out by the Commissioners on episcopal residences, and contrasted it with the money expended for the augmentation of small livings, he thought his hon. Friend had committed a mistake. The sum which the Commissioners were now paying towards the augmentation of small livings was 64,000*l.* a year. They had increased the revenues of 620 livings, in districts containing a population of 1,718,000, for whom spiritual accommodation had been provided, and where the clergyman's income in all cases was at least 150*l.* a year, irrespective of pew rents and other payments. With regard to the episcopal residences, there had been a great misrepresentation of the facts of the case. In many instances the revenues which his hon. Friend supposed were derived from the surplus funds of deaneries, canonries, &c., merely resulted from the sale and exchange of property. His hon. Friend had said that 23,000*l*. had been laid out upon an episcopal house for the united bishopric of Gloucester and Bristol, whereas the sum actually paid was only 1,072*l*. The two residences having been consolidated, one of them was sold, and the proceeds applied to the repairs of the other; and the only sum actually paid by the Commissioners was 1,072*l*. There was, at the same time, property belonging to the same bishopric sold, amounting to 6,425*l*., which was carried to the credit of the Commissioners. His hon. Friend the Member for the University of Oxford had called the attention of the House to the general arrangement framed by this Bill with respect to the new bishop not taking a seat in Parliament. It was, he believed, the general opinion, even of the bishops themselves, that the arrangement upon the whole was a fair one. He thought it would be a great advantage that the junior bishop who was recently appointed, should not be obliged to spend the whole of his time during two-thirds of the year in London, but should have the opportunity of attending to the wants of his diocese and of the clergy and people over whom he had to preside. His hon. Friend (Sir R. H. Inglis) had said, that the effect of this arrangement might be that the bishop would take his seat in the House of Lords at too late a period of his life for him to be able to discharge his duties as a spiritual Peer. He did not think from the ordinary duration of life that it was likely the Bishop of Manchester would have to wait for so remote a period as to render him incapable of discharging not only his spiritual but his legislatorial functions. With regard to the union of the diocese of St. Asaph and Bangor, the Government had concurred in the view that these bishoprics should be united. But it was necessary to look at this question, not as an abstract but as a practical question; and it was to be considered in reference to the circumstances that had taken place. It was impossible to deny that there existed a very strong and general feeling on the subject. It was impossible to deny that the two Houses of Parliament partook of that feeling. The Government, therefore, did not think it desirable to continue their opposition to a measure with regard to which such a decided opinion had been expressed by the Church at large and by the other House of Parliament; but consented to the repeal of the recent Act of Parliament by which those two bishoprics were united, at the same time reducing the amount of the income of the two bishops. He hoped, therefore, that the House would read the Bill a second time, reserving the discussion on the clauses with respect to which there was any difference of opinion until they got into Committee.

Mr. BROTHERTON said, that this Bill was exceptionable to many of his constituents, a great portion of them being Dissenters, and they felt that this Bill ought not to pass. He confessed that his suspicions were a little excited when he heard the speech of the hon. Baronet the Member for the University of Oxford; but his objection to the Bill was that to any extension of the powers of the hierarchy by the appointment of additional bishops. All classes in Manchester and its neighbourhood appeared to be against the Bill. They fancied that it would increase the ecclesiastical power; and they felt that with that increase their civil privileges were often infringed. They were of opinion that it would be more to the advantage and promotion of civil and religious liberty that the Church should be content with its present position, because, although it appeared by the Bill that the new bishops were not to have seats in the other House, yet he saw nothing in the Bill to prevent their being called up to the House of Lords at a future time. He thought the Motion should have been, that the Bill should be read a second time that day three months; and, if any hon. Member moved that, he would support it.

Mr. ENTWISLE wished to express what he believed was a very general feeling in that part of the country from which he came. Perhaps the hon. Gentleman who had just spoken would recollect that this was a question that did not immediately affect the Dissenters. It was a proposition, out of the funds of the Church, by a fresh distribution and application of them, to increase, as the hon. Gentleman properly said, the powers of the Church, by rendering that more efficient the inefficiency of which had been long the subject of complaint and reproach to the Church. He believed that this measure, when carried out, would have the effect of very materially relieving the excessive labours which were now imposed upon the spiritual superintendents of his part of the country. No one acquainted with the great numbers gathered together under the spiritual care of the Bishop of Chester could doubt the necessity of such a measure. It was impossible that such spiritual superintendence could take place as should effectually control and regulate the whole of the ecclesiastical affairs of that diocese. But there was one thing he must observe, and that was the absence from the Bill of all provision that the new bishops should have seats in the House of Lords. He thought that the reason, or indication of a reason, given by the noble Lord and the right hon. Gentleman, pointed to an arrangement as more convenient to the new bishops on entering upon their spiritual functions, giving them time to become acquainted with the affairs of their dioceses, and of introducing themselves, as it were, to those who were under their spiritual care; but that was no reason why there should be any infraction of the principle that had been hitherto observed—that bishops should be called to the other House when they were appointed to a diocese. He thought that it was an essential part of the principle of the Bill, that in appointing new bishops they should be positively excluded from the House of Lords. But the Bill would have another effect; it was, to a certain extent, a Bill of deprivation, because each bishop of the old sees would be called upon to take his turn of being excluded from sitting in the House of Lords. He thought that upon that ground it was objectionable; and he would far rather, as a matter of principle, see the Bishop of Manchester excluded from the House of Lords permanently (and if the expediency of his more closely attending to the duties of his diocese was the reason why he should be excluded, there was hardly any diocese in the country where the same reason would apply with the same force), than that the bishops of the ancient sees should ever be excluded. He believed, however, that to the Church generally this measure was satisfactory; and he would rather support the Bill as it was, than run the risk of its not passing by entering upon the discussion of the parts which he thought objectionable.

Mr. HUME objected to the principle of the Bill; and it was his intention to take the sense of the House on it. He differed from the hon. Baronet the Member for the University of Oxford about the origin of the property which was the subject of this dispute; but it was a dispute about the loaves and fishes, and who should get the lion's share. He objected to the Bill because it was a violation of the compact entered into in the year 1835-6 with the Church. After mature deliberation, the Commission had recommended that there should be no addition to the number of bishops, and said that the union of the sees of St. Asaph and Bangor would be of advantage, as the revenues of the abolished see might be appropriated to the augmentation of small livings; but this Bill would lead to a misappropriation of the funds that ought to be applied to other purposes. By increasing the number of bishops, he cared not whether they had seats in Parliament or not, the amount of their salaries was taken away from useful purposes. In that opinion he was borne out by an article in the *Quarterly Review*. He thought that the noble Lord and the right hon. Gentleman had yielded, not to the clamour of the Church, but to the clamours of a few of the clergy. He wished that the Commission had been instructed to ascertain the number of Churchmen and of Dissenters there were in Wales, and then it would be seen that the two sees to which he had referred would have been properly united. He could not vote for the Amendment of the hon. Gentleman near him, because that would be countenancing to a certain degree the principle of the Bill; but when that Motion was disposed of, he should move that the Bill be read a second time that day six months.

Mr. J. COLLETT observed, that the present measure was marked by two principles: one of those was, that two sees should be united, or, in Parliamentary language, should be consolidated; and the second was, that there should be an increase in the number of bishops. Now, he objected to the Bill before them, as a breach of faith. If that Bill were carried, no one could tell how many more bishops might be added to the episcopal bench. The Bill provided for four additional bishops; but for his part he did not desire to see the number of bishops at all increased, for he conceived the bench of bishops and the game laws to be the two great evils of the country. The addition made to the Episcopal Bench, or to be made by the present Bill, was one which proceeded from the bishops themselves, and they naturally desired to increase their own order—there "was nothing like leather." When anything went wrong, the right rev. Bench immediately exclaimed, "Give us more bishops." Any great horsebreeder would tell them that the country wanted more horses; and, after all, the most favourable specimens of episcopal government were not of a character to excite much admiration. There was, for example, the see of London. The Bishop of London was an able and well-intentioned man, yet in his diocese alone there were at least twenty different modes of performing divine service, and it appeared also that the right rev. Prelate would not license clergymen belonging to the Irish branch of the Established Church. Surely there was no reason why Irish clergymen should not officiate within the diocese of London. In conclusion, he greatly regretted that a proposition of this kind should have proceeded from a Liberal Ministry: it would have come with much more propriety and consistency from the late Government, The noble Lord at the head of the Government professed liberal sentiments — he was essentially a Liberal. There were Russell, Pattison, Larpent, and Rothschild, they were the four Liberal candidates for London; why, did the noble Lord separate himself from that list by making such a Bill as the present a Government measure?

MR. G. A. HAMILTON said, his object in rising was not to enter upon any discussion upon the merits of the Bill before the House, to which, however, he should give his cordial support; but he felt it his duty, and he was happy to have it in his power, to remove one cause of complaint which the hon. Member, who had just sat down, had urged against the learned prelate the Bishop of London. It was true, as was stated by the hon. Member, that a petition had been presented to the House of Lords by a clergyman in the diocese of London, complaining that the Bishop of London had refused to license a clergyman educated in the University of Dublin, on the grounds of his being an Irish clergyman. The most rev. Prelate who presides over the Irish branch of the Established Church had not felt it right to move in the matter, so long as it was under discussion in the House of Lords; but he was happy to state that since that case had been brought before the House of Lords, the Archbishop of Armagh had had a communication with the Bishop of London on the subject of the exclusion of Irish clergymen. He had directed the attention of that Prelate to the real state of the case, and the course of education pursued by divinity students in Dublin University. The Bishop of London had met the representations of the Primate of Ireland in the kindest and best spirit; and he was enabled to state that the rule of exclusion complained of by the hon. Member for Athlone no longer existed.

MR. W. O. STANLEY observed with great satisfaction the view of the subject which the Government had taken. As to the late Government, there could be no doubt that if they were now in office they would be obliged to yield in the same way. To Lord Powis they all owed a great debt of gratitude; and he contended that the conduct of the present Government in the matter before them was in all respects perfectly consistent. By the addition of four bishops to the episcopate, the labours of the English hierarchy would be most materially lightened. On the part of Wales, also, he felt bound to offer his thanks to the Government for the measure that they had introduced. It was true that of a population of 300,000 there were not above 40,000 who belonged to the Established Church; but the only mode of bringing back that population within the pale of the Church was to render the great officers of the Church sufficient in number for the service of the people. To have taken away a portion of the bishops from the Church, would have been to inflict on it a serious and dangerous injury.

MR. HORSMAN said, he now felt disposed to withdraw his Amendment, because he thought it would be more satisfactory to the House to come to a vote on the Bill itself.

VISCOUNT CLIVE rose to thank the Government on behalf of the Principality. In proposing to get rid of two sees, the Church Commission had, he feared, been too much influenced by temporary clamour. It amounted to nothing less than robbing Wales of two bishops—North Wales of one, and South Wales of the other. There was also a proposition for uniting the see of Llandaff to that of Bristol; but that scheme was not entertained out of deference to Llandaff, but for the benefit of Bristol. The real question was, how the want which Manchester experienced was to be met; was it to be met honestly, or was it to be met by robbing Wales? It was very generally thought that the reason why the last Government did not proceed fairly to meet the question was, that they did not like to meet the difficulty about a seat in the House of Lords. They were driven by necessity, not impelled by choice.

The great difficulty had been met by the noble Lord, because he felt that the growing revenue of the Church would enable him so to do. Nothing could be more evident than that if they wished to make the Church efficient, they must have more bishops; and what the Church wanted was, that the character of their bishops should in some respects be changed—that they should go more about the dioceses and make themselves more visible. Hitherto English bishops had gone into Wales who were wholly ignorant of the Welsh language, and the clergy under them were equally ignorant of the vernacular tongue of the people of Wales. If, like the Bishop of St. David's they did their duty, the state of religion in Wales would very soon change its character.

Mr. AGLIONBY was sorry that his hon. Colleague proposed to withdraw his Amendment for the purpose of negativing the Bill. He should rather vote for the Amendment, because there were not sufficient facts before the House to enable them to pronounce an opinion on the Bill. Upon that ground he thought it expedient that they should postpone the Bill until next Session. A Committee on the subject was still sitting, and no evidence had yet been laid before the House. This circumstance, he conceived, formed a strong reason for postponement; and he hoped that until the House had evidence before them they would not pronounce any opinion on the merits of the Bill.

Viscount SANDON wished to delay the division only for two minutes; and he did so merely for the purpose of expressing his gratitude to the hon. Member for Cockermouth on account of the full and complete manner in which he had brought the whole subject under their notice. The proposed change would at least have this good effect, that it would break down the mystical number of 24—that seemed a magic limit beyond which episcopacy could not go, let the spiritual necessities of the country be what they might. He was gratified now to see that that Parliamentary barrier had been broken down; but in the interval between this and another Session of Parliament he should not be at all satisfied unless preparation were made for doing much more. It was necessary that the ideas which the people had respecting bishops should be changed. They were supposed to fill certain offices and to discharge certain limited duties; but the supposed limits of those duties must be extended, and the present Bill was the first towards the accomplishment of that object.

Amendment withdrawn.

Mr. HUME moved, that the Bill be read a second time that day three months. He said it was a breach of the contract of 1835-6. In his opinion the surplus funds of the Church ought to be given to the working clergy.

Mr. WAKLEY contended that the Bill was a most objectionable measure, and ought to be postponed till another Session. The Committee now sitting had not laid any evidence before the House. When they once had the evidence in their hands they would be much better judges of the question. Under the Statute of Henry VIII. more bishops might have been created, therefore the Bill before them ought to have been constructed for the purpose of distributing the surplus revenues of the Church amongst the working clergy. It was a scandal to the Church that that class of men should be so insufficiently paid as they now were; they were obliged to maintain the position of gentlemen without funds sufficient for that purpose. He thought, therefore, that the House would consult its own dignity by not proceeding with the Bill. He could not help observing that very recently two most humane clauses of the poor law were rejected in another place, and that none of the bishops resisted the rejection.

Dr. NICHOLS still considered the original proposition of the Ecclesiastical Commission would have been the best adapted to the interests of the Church, and he regretted that the noble Lord had been induced to abandon it. But, if his objections were great to the Bill as it originally stood, the statement which the noble Lord had made had much increased them. The noble Lord had told them that no additional expenses would be entailed by the Bill. He must call on the noble Lord to say, whether he did or did not mean to give residences to these new bishops? It had been a great misfortune where bishops had no residences. For twenty years in Llandaff there was no resident bishop, during Bishop Watson's time, and the greatest possible evil occurred. He was the more anxious to know the noble Lord's answer, because as yet no residence had been provided for the Bishop of Bangor. He should not, however, vote against the Bill; because, a bishop having refused to take the united diocese, and the necessity for a bishop at Manchester being admitted, the

Bill was necessary; but he did enter his protest against that recital of the Bill by which three new bishops were to be appointed, and he hoped the time would come when the episcopal funds would not be applied exclusively to ecclesiastical wants, but to the spiritual wants of the people.

Mr. T. S. DUNCOMBE thought the measure was a direct violation of the compact entered into between the Government and the Liberal party, in that House, in 1836. The Government had then introduced a Bill which they called a Church Reform Bill, but which the people called the Bishops' Bill. That Bill was much objected to, and the Government complained of some of their followers that they had not stated their objections on the earlier stages. But the discussions became so warm and hot that the noble Lord became alarmed for this Bill, and even for his Government. Among others, he remembered that his right hon. Friend the Judge Advocate (Mr. C. Buller) made a most violent and convincing speech against the Bill, in which he ridiculed it, with that power of which he was master, proving that it was no Church Reform Bill, but only the commencement of a new series of bishops. Objections were also taken to the Bill by other hon. Members who were now Members of the Government, and especially by one hon. Member who had just resolved to drop a job called the Thames Conservancy Bill. Another objection to the Bill was, that any surplus ecclesiastical revenue should be appropriated to the reduction of Church rates. But now, in the year 1847, what had been done towards the abolition of Church rates? Now, because they were supported by hon. Gentlemen opposite, Her Majesty's Government determined to pass this Bill, although every Bill for the benefit of the people had been dropped. Look at the Health of Towns Bill and the Parliamentary Electors Bill. But, in 1836, when the Bishops' Bill was in danger, the supporters of Government were summoned to Downing-street; and the Government said they would resign if the opposition was not put a stop to. The noble Lord during the debate on that Bill said—

> "As I have said, I will not now enter into a debate on this question, but merely take occasion to repeat what I have often said before, and what, I regret to say, has not made such an impression as so notorious a fact was calculated to do—namely, that this Bill does not increase the number of bishops, but retains the same number as there was exactly before its introduction."

Now, who wanted more bishops? Let the noble Lord say who those persons were, and where their petitions were. He had not seen any petitions for more bishops. Perhaps the noble Lord would tell them who it was that demanded more bishops; and also what was the surplus fund in the hands of the Ecclesiastical Commission? A Committee had been appointed to inquire into the proceedings of that Commission. Indeed, he was surprised that they had not heard on this occasion the voice of his hon. Friend who had moved for the Committee, and who had made such extraordinary statements to the House. He contended, that a Commission so situated was not a body entitled to the public confidence, and that Parliament ought not to legislate on any recommendation of theirs. He could only tell the noble Lord, that if he persevered with the Bill, he would meet with the same opposition as in 1836; for this Bill was a violation of the compact entered into with the Liberal party in that year. The question of Church rates must inevitably be mooted in connexion with it; and not all the force the noble Lord could bring down would enable him to pass the Bill, unless he was prepared to prolong the Session a month or six weeks.

Lord J. RUSSELL said, that the hon. Member who had just sat down, and the hon. Member for Montrose, had both offered opposition to the Bill, because he (Lord J. Russell), in describing the Established Church Bill of 1836, had said that it did not increase the number of bishops. Surely this was carrying what some hon. Members were pleased to call "the doctrine of finality" to a wonderful extent. The argument of those hon. Members assumed, that because a particular Act of Parliament once passed, the number of bishops should at no time be altered. He (Lord J. Russell) also remembered to have said, with respect to the incomes of the bishoprics, that if hereafter they should be considered too large, that was a subject to be considered by Parliament. He had never considered that the Bill of 1836 was an absolute settlement of the question—as one that was never to be disturbed. As to charging a breach of faith against the Government, he apprehended the House would think that there was no foundation for such a charge.

Mr. T. S. DUNCOMBE observed, that the observation of the noble Lord which he had quoted had reference to a charge made by hon. Members at the time, that the Church Reform Bill, as it was called, was only a prelude to an increased number of bishops.

Mr. E. DENISON said, his not having taken part in the debate, would, he apprehended, be sufficiently accounted for by the fact of the Committee of Inquiry referred to by the hon. Member for Finsbury having been granted at his instance, and that the inquiry was now pending. He thought the discussion of to-day sufficiently showed that the House had not taken an improper course in granting that Committee; and he hoped that there could be no doubt on the mind of the hon. Member for Finsbury that the inquiry would be conducted with fairness.

The House then divided on the question, that the word "now" stand part of the Question:—Ayes 124; Noes 15: Majority 109.

List of the Ayes.

Acland, Sir T. D.
Acland, T. D.
Allix, J. P.
Austen, Col.
Baring, rt. hon. F. T.
Baring, T.
Barrington, Visct.
Bennet, P.
Bentinck, Lord G.
Bentinck, Lord H.
Berkeley, hon. Capt.
Blackburne, J. I.
Bodkin, W. H.
Botfield, B.
Bowles, Adm.
Buck, L. W.
Buller, C.
Byng, rt. hon. G. S.
Carew, W. H. P.
Chaplin, W. J.
Christie, W. D.
Christopher, R. A.
Clive, Visct.
Clive, hon. R. H.
Codrington, Sir W.
Corry, rt. hon. H.
Courtenay, Lord
Cowper, hon. W. F.
Craig, W. G.
Cripps, W.
Denison, J. E.
Denison, E. B.
Disraeli, B.
Douglas, J. D. S.
Duckworth, Sir J. T. B.
Dundas, Adm.
Dundas, Sir D.
East, Sir J. B.
Ebrington, Visct.
Egerton, W. T.
Entwisle, W.
Evans, W.
Ferguson, Sir R. A.
Ferrand, W. B.
Fitzroy, hon. H.
Forester, hon. G. C. W.
Fuller, A. E.
Gore, M.
Gore, hon. R.
Goulburn, rt. hon. H.
Greene, T.
Grey, rt. hon. Sir G.
Grosvenor, Lord R.
Hamilton, G. A.
Hamilton, Lord C.
Hatton, Capt. V.
Heathcote, Sir W.
Henley, J. W.
Hildyard, T. B. T.
Hobhouse, rt. hn. Sir J.
Hope, G. W.
Hornby, J.
Ingestre, Visct.
Inglis, Sir R. H.
Jermyn, Earl
Jervis, Sir J.
Johnstone, Sir J.
Jolliffe, Sir W. G. H.
Jones, Capt.
Knightley, Sir C.
Lascelles, hon. W. S.
Lefroy, A.
Le Merchant, Sir D.
Liddell, hon. H. T.
Lindsay, Col.
Lygon, hon. Gen.
Macaulay, rt. hon. T. B.
M'Geachy, F. A.
Manners, Lord C. S.
Manners, Lord J.
Maule, rt. hon. F.
Mildmay, H. St. J.
Miles, P. W. S.
Miles, W.
Monahan, J. H.
Morpeth, Visct.
Morris, D.
Mundy, E. M.
Neeld, J.
Newdegate, C. N.
O'Brien, A. S.
Ogle, S. C. H.
Packe, C. W.
Palmer, R.
Palmer, G.
Palmerston, Visct.
Parker, J.
Patten, J. W.
Perfect, R.
Philipps, Sir R. B. P.
Pinney, W.
Plumridge, Capt.
Pollington, Visct.
Prime, R.
Reid, Col.
Rendlesham, Lord
Russell, Lord J.
Rutherfurd, A.
Sandon, Visct.
Somerville, Sir W. M.
Stanley, hon. W. O.
Tollemache, hon. E. J.
Tollemache, J.
Verner, Sir W.
Vesey, hon. T.
Villiers, Visct.
Vyse, H.
Waddington, H. S.
Walker, R.
Ward, H. G.
Wood, rt. hon. Sir C.
Worcester, Marq. of
Wortley, hon. J. S.
Wynn, rt. hon. C. W. W.

TELLERS.
Tufnell, H.
Rich, H.

List of the Noes.

Aglionby, H. A.
Aldam, W.
Bouverie, hon. E. P.
Brotherton, J.
Collett, J.
Duncan, G.
Evans, Sir D. L.
Hastie, A.
Hindley, C.
Horsman, E.
Molesworth, Sir W.
Thornely, T.
Trelawny, J. S.
Wakley, T.
Williams, W.

TELLERS.
Hume, J.
Duncombe, T.

Bill read a second time, and ordered to be committed.

THAMES CONSERVANCY BILL.

Mr. WARD said, that as a formal opposition to this Bill had been announced in the House of Lords, he was reluctantly compelled to give it up.

Order of the Day discharged.

FEVER IN EMIGRANT SHIPS.

Lord J. MANNERS wished to ask whether it were the intention of the Colonial Department to take any steps towards checking the prevalence of fever and other contagious diseases in emigrant ships? If it were so, he begged to submit to the hon. Gentleman the great desirableness of providing medical men for every emigrant ship that left our shores. He had recently an opportunity of having a communication on this subject from a lady whose name could not be mentioned without respect—he meant Mrs. Morley, in which she made various suggestions how the important object of preventing the spread of disease in emigrant ships might be gained; and that communication he had brought under the notice of the hon. Gentleman. What he wished now to ask was, if Government had taken this subject into consideration, and whether the hon. Gentleman could hold out any hope of effectual measures being taken for the future, so that emigrants leaving this country should not be subjected to those pestilential diseases that had carried away so many of our unfortunate fellow-subjects.

MR. HAWES could assure the noble Lord that Her Majesty's Government attached great importance to the subject that he had just brought under the notice of the House, and he could add that it had not been left unconsidered. With reference to the circumstances to which the noble Lord referred, of people going on voyages in a state of disease—a matter to which the respected lady he had mentioned had directed her attention—he must say that this year a very large amount of emigration had taken place, and that the prevalence of disease had very materially added to the mortality on board the emigrant ships. Additional means had been taken by the local Government of Canada to meet the evils arising from this state of matters, and they had exerted themselves in the most excellent and praiseworthy manner to mitigate the sufferings of those who had arrived in that colony. So far, indeed, as he knew, the Government of Canada had taken every means in their power to meet the calamity; but with regard to the Government at home sending surgeons, he was afraid it would be found impracticable. He might fairly assume that 700 emigrant ships had left the ports of this country and of Ireland; and where were surgeons to be found for all these ships? Her Majesty's Government had believed this to be the real state of the case; but in order to be sure that they had raised up no visionary difficulty, inquiries were made of the highest medical authorities, to ascertain if a sufficient number of competent medical persons could be got, and he could state on that authority that it would be almost impossible to find medical men for each of those ships—a number to the extent of nearly 700. Perhaps it might be necessary to consolidate the various Acts relating to the conveyance of passengers; and he had intended to bring a comprehensive measure for this subject under the consideration of the House, but had no prospect of doing so with success during the present Session. He might say, however, that betwixt this period and the next Session of Parliament he would make anxious inquiries into the subject, to ascertain whether the practical difficulties experienced at the present moment could not be got over, and some efficient system established to prevent the evil complained of.

LORD G. BENTINCK would ask the hon. Gentleman whether he did not think it was possible that, instead of 600 surgeons, 6,000 could be got for this purpose? He would also ask whether the law, as it now stood, with regard to surgeons, did not exclude those countries to which the great mass of emigrants went, namely, the Canadas and the United States? Whether, by some oversight, the general Act was made to bear, that, unless a voyage was for more than twelve weeks, no medical officer was required to go with the ship; and that the Act required that if there were more than a hundred persons on board a ship, it should be supplied with a medical man? He would also ask the hon. Gentleman if, even at this period of the Session, he could not introduce a short measure to remedy this defect?

MR. HAWES thought it would be hardly expedient to introduce any measure during the present Session. He might state, that the ordinary mortality in emigrant ships from Liverpool to the North American provinces was one-half per cent. The mortality generally took place on board the ships after they had sailed. If it took place before they left, then steps would be taken to detain those who were ill, and the vessel would not be allowed to go to sea.

MR. WAKLEY was glad the attention of the Government had been called to this subject; but he was surprised to hear the hon. Gentleman say that there was difficulty in obtaining 600 or 700 surgeons. If they were adequately paid for in the service, there would be no difficulty in getting the number that was required.

MR. LANGSLOW'S CASE.

MR. ESCOTT rose to move—

> "That an humble Address be presented to Her Majesty, that Her Majesty will be pleased to take into Her gracious consideration the matter of the Petition of Robert Langslow, Esq., late one of Her Majesty's District Judges in the Colony of Ceylon, of the 19th Day of December, 1846, and grant to the said Robert Langslow such relief in the premises as to Her Majesty shall seem fit."

He earnestly entreated the attention of the House to the case it would be his duty to lay before it. The papers issued about three months ago disclosed all the evidence upon which he rested his defence of this dismissed Judge, and in some degree his inculpation of the noble Lord (Lord Stanley) by whom he had been dismissed. The case divided itself into two heads; the complaint was of two kinds. He complained of a personal wrong done to a learned

Judge, who had been ruined in his profession and in his prospects by his dismissal from office. If, however, the case had been one of personal hardship only, he might have hesitated in bringing it before the House; but the professional hardship was so grave as to warrant him in asking the House, by its decision, to support the Motion with which he should conclude. If Mr. Langslow had been wrongfully dismissed from his office, then not only had a grievous personal wrong been done to him, but a grievous wrong had also been inflicted upon the colony to which the impartial administration of English law had been a manifest blessing. This case had been under the view of three successive Colonial Administrations — Lord Stanley's, Mr. Gladstone's, and Earl Grey's. The noble Lord who now presided over that department had not thought it his duty to interfere with the merits of the question; in accordance with the established practice, he abided by the decision of his predecessor; and, concluding that his predecessor had taken due pains to investigate the merits of the case, he had not deemed it consistent with his duty to re-open the question. He was, therefore, entitled to say that Earl Grey's decision was no decision upon the merits of Mr. Langslow's case. The same might be said as to Mr. Gladstone's decision: he never investigated the merits of the case; and, feeling bound by Lord Stanley's acts, he refused to enter upon its consideration. He (Mr. Escott) imputed no blame to Lord Stanley beyond that which the facts necessarily implied; nor did he accuse the noble Lord of any personal feeling towards Mr. Langslow. The ground of his complaint was, that, without any personal feeling or interest in the matter, Lord Stanley had taken upon himself to decide the case without having the evidence before him—without having heard the accused, or giving him an opportunity to answer statements made in secret without his knowledge, and behind his back. Lord Stanley had in effect confirmed the decision of the local Government of Ceylon, whilst in the same paper in which he confirmed the decision, he said it was not in his department to enter into the only legitimate grounds upon which the decision was founded. He therefore complained of Lord Stanley's judgment. He would now state in a few words the principal facts. Mr. Langslow was a gentleman of considerable learning, born and bred in the same station of life in which those who sat on both sides the House were accustomed to move. He was practising with every prospect of ultimate success at the bar; and he went the Western Circuit, on which circuit he (Mr. Escott) had the honour to be well known to Mr. Langslow, who at that time was one of its most popular members. In the year 1832, he was appointed Attorney General of Malta, under the Government of Sir Frederick Ponsonby, who very much approved of the appointment; and whilst he remained Governor, nothing could proceed more harmoniously, or more advantageously to the business of the court in which Mr. Langslow was the chief officer of the Crown. In 1838, in consequence of the report of a Commission sent out to inquire into the judicial establishment of Malta, it seemed fit to the Home Government to abolish the office of Attorney General altogether. Mr. Langslow, consequently, had no longer sufficient interest to detain him at the bar in Malta, and he returned to England. On his return, so high was he held in the estimation of the Government, that he received a retiring pension; and he was given to understand that the pension would be continued till some other public employment could be found for him. In 1840, when the noble Lord now the First Minister of the Crown was Colonial Secretary, a great change took place in the administration of justice in Ceylon. The district judges of the colony had, up to that period, always been at the disposal of the civil officers on the colonial establishment in the colony; but in consequence of representations from the people of Ceylon, the mode of appointment was changed. Instead of being appointed by the Colonial Secretary, on the advice of his coadjutors in the civil government of Ceylon, they were appointed by the Home Government, and chosen from members of the English bar. The Home Government, in the exercise of its discretion, selected Mr. Langslow to fill the office of district judge of Colombo. In 1840, he proceeded to Colombo; and in 1841, before he had been there a full year, an address was sent to this country, signed by suitors in the court, by merchants, and inhabitants of all classes, expressing to Her Majesty's Government their deep sense of the service which the Colonial Office at home had rendered to the colony by the appointment of so just and able a judge. In 1842, disagreements broke out between Mr. Langslow and the Ceylon Government. These differences were stated in the papers presented to the House. Nothing, however, was done in consequence of them. Neither the Governor at Ceylon, nor the Colonial Secretary at home, thought fit to act upon them; but in 1842, a strong representation was made to Lord Stanley respecting Mr. Langslow's conduct. Up to this time, he was bound to admit, Lord Stanley's proceedings were unexceptionable; but it was extraordinary that Lord Stanley, who, in consequence of these representations, sent to the Governor requesting inquiry to be made into the truth of the allegations against Mr. Langslow, and to be informed of the evidence on which they rested, should in 1844 have dismissed Mr. Langslow from his office without any evidence whatever to support the allegations against him. He believed the fact to be, that the noble Lord had forgotten he had ever made a request for the evidence. He believed that seeing Mr. Langslow, amongst other charges, was alleged to have written party articles in a newspaper—no doubt a discreditable offence — and his memory must have failed him that he requested the evidence to be furnished — he had proceeded to pass sentence. In 1843 the Executive Council of Ceylon suspended Mr. Langslow; and they very distinctly stated the ground of that suspension to be because he had been dilatory in the discharge of his duties. The best reply to that allegation was the unanswered fact, stated by Mr. Lanslow himself, and never contradicted, that the number of cases which he, as judge, decided in a given time, amounted to three or four times as many as had ever been decided in the same time by the ablest of his predecessors. There was, however, a certain period of time during Mr. Langslow's occupation of the bench, when the criminal business of the court stood completely still. This arose from an abstruse question of practice between Mr. Langslow and the Queen's Advocate. It would not surely be contended that a judge was to be removed because he differed with an advocate at the bar upon a point of practice. The judge was bound to decide according to his conscientious belief what was law; but owing to difference of opinion in this respect there was delay. He now came to the most important part of the case. Lord Stanley, as Colonial Secretary, had to sit in judgment upon the acts of the Colonial Government at Ceylon; and the first paper in the book contained the noble Lord's reasons for the sentence he subsequently passed, not in confirmation of the order of suspension, but of revoking the Queen's commission, and final dismissal from Her Majesty's service. The hon. Member read extracts from this despatch, and contended that the reasons were weak, inconclusive, and inconsistent. Were the grounds assigned by the noble Lord to be taken as proofs, without the evidence of the witnesses? Before withholding the Queen's commission from Mr. Langslow, the noble Lord was bound to enter not only with minuteness into all the proofs, but to sift and examine them in every possible way. Was he not also bound to lay the statements upon which he proceeded before Mr. Langslow? He thought the noble Lord was. Mr. Langslow's son had been fined 5*s.*, at Malta, for doing that which half the Gentlemen in that House did every night on retiring from it—for smoking a cigar in the streets. Subsequently to that circumstance, that gentleman was apprehended by a policeman, as Mr. Langslow thought, illegally; and whilst that case was under consideration, before it had been determined upon, the Governor of Malta wrote to Lord Stanley a statement, which formed the foundation of Lord Stanley's final determination to recall Mr. Langslow. It appeared that Sir H. Bouverie, who succeeded Sir F. Ponsonby, at Malta, wrote in 1836 a certain statement to Lord Glenelg, upon which Lord Stanley grounded his charge. Surely, that of itself—the fact that Lord Stanley should dismiss that judge, not upon evidence from Ceylon, but upon an old staple charge made six years before, and which up to that time had lain unnoticed upon the shelves of the Colonial Office—showed that there was no real substantial ground for the removal of Mr. Langslow; certainly it did appear to him to be a most extraordinary proceeding on the part of a Minister of the Crown towards a new judge. Sir H. Bouverie said to Lord Glenelg—

> "The conduct of Mr. Langslow since I have been in the island, and in the time of my predecessor, has been one continued attempt to set himself up as a leader of a discontented, factious party, holding forth on all occasions upon subjects most likely to pervert the minds of the people, and to embarrass the Government."

If he, the Attorney General of Malta, had been allowed for six years to behave as the "leader of a discontented and factious party," it was most extraordinary that he should have been presented with a pension when he retired, and should have been raised on the first opportunity to the office of district judge of Ceylon. Mr. Langslow, however, denied that he had ever attended any public meeting, or had ever held forth to the people. Sir H. Bouverie went on to say—

> "Previous to his departure for England last year, Mr. Langslow's eldest son was constantly at issue with the police, whom he annoyed and insulted in every way. In most instances, the magistrates did their duty and fined the son."

The "most instances" was that one to which he had referred, for smoking in the streets. It would really puzzle one to think what motives could have prompted the making of such charges. Was Sir H. Bouverie, when he wrote those confidential letters to Lord Glenelg which ended in the temporary degradation of Mr. Langslow, actuated only by an earnest desire to benefit the public service? Why, at the moment Sir H. Bouverie wrote those secret despatches he knew that Mr. Langslow was, in point of fact, removed from the office he held—that the Commission had already decided that the office should be abolished. The only motive he could conceive which could have induced Sir H. Bouverie to take the course he had taken, he would not have attributed to that gentleman had he not himself stated it—it was to deprive Mr. Langslow of his pension at Malta. Sir H. Bouverie concluded his despatch with these words:—

> "I mention this in order to show how desirable it is that Mr. Langslow's connexion with this Government should cease at as early a period as possible."

That was in May, 1838, and in April the Commission had decided to dispense with his office. Sir Henry continued—

> "I know not what pension his length of service may entitle him to; but I am very sure that for any service rendered by him to this Government, or for any use that he has ever been of to the island, he has been already far more than amply repaid. A more improper person never was employed by any Government; in English law I believe he is extremely ill versed—of the Maltese he is totally ignorant; and during his absence of nine months, not only no difficulty has arisen in carrying on the law business of the Government, but the greatest benefit and quiet has resulted from it; and I sincerely hope that this island will not be called upon to pay a pension to such a man so totally undeserving of it."

When that despatch reached Lord Glenelg, that nobleman not only disregarded its recommendations, but he did more, he rose in his place in the House of Lords, and stated his surprise that any individual should say there was anything in Mr. Langslow's conduct at Malta at all calculated to detract from his character as a gentleman and an able lawyer. Lord Melbourne spoke in similar terms, and expressed his wish that the first opportunity for again enlisting his services should not be lost by the Government of the country. But not only that, the Chief Justices of Malta and of Ceylon—Chief Justice Oliphant and Chief Justice Stodhart—bore the highest testimony to his character and ability; and when a man was condemned by a military Governor, it was something to have the praise of such men as those. He would not throw out any insinuations; but in the absence of some ground for removing a person from office, he was bound to look around for reasons. About that period, complaints had been made that many of the officers in the civil government of Ceylon spent much more of their time in attending to their own interests in their coffee plantations and their farms, than in the discharge of their public functions. Judge Langslow set his face against that conduct. Lord Stanley had sent out a very proper despatch, commanding all civil officers to give up these proceedings; and Judge Langslow earnestly set himself to carry out that despatch. That might have given offence; but from the beginning to the end they had made out no specific accusation against the Judge, who had been discharged upon no intelligible grounds, and with the Colonial Secretary himself refusing to examine into his conduct as a judge. It was very difficult from Lord Stanley's despatch to make out the precise charges upon which Judge Langslow had been dismissed; but he observed that they ranged under three heads, none of them referring to his conduct as a judge, all being extra-judicial. The first was, that he was in the habit of embarrassing the Government. Now of all the vague charges to make against a lawyer, that was perhaps the most vague. Suppose a case arose between a coffee planter and a native, and the judge found that in order to do justice according to the principles of English law, he must give judgment against perhaps a civil servant of the Crown. He should not be surprised if those who took such trivial objections to a man's conduct, should proclaim that that was a considerable embarrassment to the Government. Whatever that might be considered, there was not one single instance in the despatch, from first to last, which showed of what that embarrassment consisted. The next charge was of a still more extraordinary kind even than the last. It was one of a want of propriety and decorum in his communication with the authorities of Ceylon. Why could not the noble Lord, when he dismissed a man for impropriety of language and indecorum of speech, mark out one phrase in which he had offended? It would not, indeed, have been unnatural if Mr. Langlow had been betrayed into a momentary warmth of speech; but surely Lord Stanley was not the man who should have dismissed a judge for an inadvertent intemperate expression. He had, however, read the whole of the despatches through, and he defied any one to point out one hasty or indecorous expression. Lord Stanley had himself admitted it was plain the charges at Ceylon were futile and weak; therefore he had recourse to those charges which had been made in confidence to his predecessor six years before, when Mr. Langslow was practising at the bar at Malta as Attorney General. It was because he was not punished for his conduct as Attorney General at Malta that he must be removed from a judgeship at Ceylon. But now what was the popular feeling with regard to this dismissal? The moment it was known in Ceylon that he was suspended, the bar, with one accord, came forward and adopted a petition, praying the Governor to reconsider his decision, and not to inflict such a fatal blow upon the administration of justice by removing so just and able a man. That memorial was couched in language so plain and strong that he might be excused for reading a few sentences from it. They said—

> "As members of the community we lament with inexpressible grief the intended suspension of Robert Langslow, Esq., District Judge of the District Court of Colombo, No. 1, South; for, in common with the public, in that suspension we fear the infliction of a general calamity not easily to be borne, and still less to be remedied. It is not, however, as members of the community that we present ourselves before your Excellency; to the public we leave the task—a task which it will be their duty and their pleasure to fulfil—of vindicating the virtues of a man who, considered in his judicial capacity, presents a rare instance in this country of great legal erudition, high moral courage and impartiality, and determined and uncompromising independence and probity. Those public virtues claim the admiration of all men, and they have gained, we are happy to say, for the district judge the respect and esteem of all classes. The true and unerring criterion of his having given satisfaction in the discharge of his duties is, we humbly submit, to be discovered in the opinion of the majority of suitors before the District Court of Colombo, No. 1, South, who, comprising the successful parties as well as the unsuccessful, have evinced, and do even now testify to the justice, impartiality, and independence of the learned judge, to an extent not hitherto felt in this country, and little known at this period in the island. But, in common with other deserving and meritorious men, he has been unable to give satisfaction to every individual; and, indeed, it was to be expected, that independence and uprightness, equal justice and impartiality, without favour and without fear, should have created against the learned judge individual dislike and dissatisfaction. To these causes, we hesitate not to affirm, are owing the complaints that have induced the intended suspension of Mr. Langslow."

And again—

> "Regular, zealous, and unremitting in the discharge of his duties, the learned judge has been most indefatigable in the performance of his high functions; learned, he has instructed; independent, he has created confidence; just, he has given satisfaction; and impartial, he has won golden opinions from all classes of the community. We entreat your Excellency, therefore, as your Excellency values the administration of justice in this country, and as your Excellency fears the appalling consequences of visiting with such unmerited obloquy the really deserving, and the evil effects from such causes on the public service of this island, we entreat your Excellency, for the country, and for ourselves, the bar of that country, that your Excellency will recall your intention of suspending from his office the Judge of the District Court of Colombo, No. 1, South."

Should not those gentlemen have been examined by the Colonial Secretary previous to the dismissal of Mr. Langslow; for who was more competent to pass an opinion upon his conduct than the Chief Justice of the island and the members of the bar? But that was not the only petition which had been adopted. The merchants, the landed proprietors, and the householders of Ceylon also came forward in a mass, and in the strongest language implored the Governor to reconsider his determination. That petition was signed by 1,821 individuals, and it spoke of Judge Langslow as "an able, upright, and talented judge." But, more than that, the suitors of his court also came forward, with other individuals, to the number of 2,095, bearing, if possible, still stronger testimony to the able and upright conduct of Judge Langslow. And it must be borne in mind, that those addresses were not instigated by any friends of Mr. Langslow's, but that they were the voluntary productions of men who had had causes in his court, and who were grateful to the Judge for his able and impartial conduct. Under these circumstances he implored the Government not to interpose, either through any chivalrous desire to defend Lord Stanley, or from any reluctance to re-open a question which by some might have been considered settled, to prevent some species of relief being given to the Gentleman in question. If a judge were to be removed without any opportunity of knowing who his accusers were, much less an opportunity of answering them—if he were to be removed upon such unfair, such partial testimony as he had referred to, in opposition to a testimony which he should have thought a sufficient answer to the slanders that had been propagated against him, then, he said, the administration of justice was not safe; and the people, who were more attached to our rule by this one thing than by any other, namely, that they could look to the judicial bench for a fair consideration of all their grievances, and for that impartial administration of the laws which had so long characterized the bench at home—then, he said, the people would be disappointed, and the Government would have thrown away one of the best opportunities of knitting their hearts to the mother country. The hon. Gentleman concluded by moving the resolution already given.

Mr. HAWES said, his hon. Friend had brought forward his Motion in a manner which entitled it to every respect and attention, and in a manner to which he was sure the noble Lord whose conduct was more immediately assailed would not object. Moreover, he thought his hon. Friend was quite justified in bringing this case under the consideration of the House, since it was the only appeal open to him. Mr. Langslow had attempted to bring his case under the consideration of the Privy Council; but from circumstances which were fully explained—namely, from the fact that he had been dismissed on account of general misconduct, and not for his character as a judge—it was thought that an appeal to the Privy Council was impossible. He (Mr. Hawes) did not feel called upon now to go into the merits of the case. He knew Mr. Langslow himself, and he knew many friends of his; and he really believed him to be a perfectly upright and respectable man, and a very able lawyer. He made these admissions fully to his hon. Friend; and he merely confined himself now to the grounds assigned by his noble Friend at the head of the Colonial Department for refusing to re-open the question. His hon. Friend stated that the charges which had been brought against Mr. Langslow in Ceylon were unknown to him, and that he had had no opportunity of answering them. Now, in point of fact, no one could open the book which had been presented to the House, without seeing that the charges which had been made against him as a judge were most fully and distinctly stated in the Minutes of the Executive Council, and that they were met by a full and complete reply on the part of Mr. Langslow. With reference to the Maltese case, he thought it unnecessary to make any remarks. No doubt both Lord Glenelg and Lord Melbourne did distinctly state, some years ago, in the House of Lords, that nothing had occurred at Malta which disentitled Mr. Langslow to be considered worthy of the future patronage of the Crown; and that future patronage was subsequently bestowed upon him. With regard to the merits of the Ceylon case, he adhered to the statement which he had made by the direction of his noble Friend, and which appeared in the correspondence and bore his (Mr. Hawes's) name, that he did not pronounce any opinion whatever upon the merits of Mr. Langslow as a judge at Ceylon. He was satisfied the House would concede that the Secretary of State must be often called upon to decide upon cases of this nature; and then the question arose, whether the decision of the Secretary of State was again and again to be brought before succeeding Secretaries for revision? In looking at this case, they ought to ask themselves, were all the circumstances brought before the Secretary of State before he made his decision? The case was brought fully, in all its bearings, before Lord Stanley; and when his successor was called upon to pronounce an opinion upon the circumstances, it was found that no new circumstance was brought forward in addition to those which were laid before Lord Stanley, and, consequently, no reason was assigned sufficient to warrant any alteration of that decision. The present Colonial Secretary saw nothing in the circumstances to justify him in altering the decision of Lord Stanley; and he, therefore, did not interfere in that way. The fact was, that some rule should be laid down in such cases; as, if they were perpetually re-opening cases decided by former Secretaries, and re-investigating the circumstances, it would cause the greatest possible inconvenience. The despatch announcing the removal of Mr. Langslow having arrived in Ceylon, that gentleman left the colony, and arrived in England in 1845, when he applied personally for an answer which he gave to the despatch of Lord Stanley directing his removal. At that time he was, of course, aware of Lord Stanley's decision; but he never asked Lord Stanley to reverse it; on the contrary, he left the question untouched till the early part of 1846. On one occasion, in writing to Lord Stanley, he said, in reference to the decision, that his object in writing was not to procure a reversal of his Lordship's decision, which he thought was in some degree harsh and unfair; but he wrote with a view to a modification of the sentence, in order that he might be enabled to secure a pension or retiring allowance, such as it was usual to give to those who had been for such a length of time in the public service. In that application, therefore, it was clear that he only sought to have the sentence modified, in order that he might be secured his retiring allowance. That securing of a pension was not, however, in the province of the Colonial Department; it was a subject which properly could only be regulated by the Treasury. When Mr. Gladstone came into the Colonial Office, he interfered in this matter; but he did so only because he had heard, in a letter from a friend of his (Mr. Hawes), that the Governor of Ceylon (Sir Colin Campbell) had altered his opinion of the case of Mr. Langslow; and in consequence of that report, Mr. Gladstone forwarded the letter to Sir Colin Campbell, and received an answer to the effect that Sir Colin Campbell had not changed his opinion upon the subject. Upon those general grounds, his noble Friend at the head of the Colonial Office declined to go into the case again, unless some additional cause was shown. If they were to re-open that case now, without any additional reason, he did not see they could refuse to re-open any of the cases which had been decided upon for the last twenty-five or thirty years, and thus greatly interfere with the transaction of public business. He had stated the general grounds which had precluded his noble Friend at the head of the Colonial Department from going into the case anew; and he should leave the merits of the case to be spoken to by his hon. Friend opposite (Mr. Hope), who was well acquainted with them; but before he sat down, he was anxious to express his conviction that the Colonial Department, at the period when Lord Stanley was at its head, had given the most attentive consideration to all the facts of the case. The hon. Member concluded by moving the previous question.

MR. HOPE said, the case was one which occupied a very small compass; and he could assure the House, that during his experience he had not seen any case which had received a more careful and conscientious consideration. The House would scarcely be aware of the great difficulty which was felt by those who had to deal with such a question; and, so far from there being any danger of an unnecessary degree of severity being used, he thought the probability lay the other way. It would be great injustice to the colonial interest if a person, who was deemed insufficient for the proper discharge of the duties which devolved on him, were allowed to continue to hold office; and that applied particularly to those engaged in the administration of justice; and he thought the worst service which that House could do to the colonies would be to keep any person in employment who had been held to be ineligible by the Secretary for the Colonies. The hon. Member for Winchester had most correctly admitted that it was impossible to attribute in this matter any personal ill-will to Lord Stanley; and as a proof of that he (Mr. Hope) could state, that when Lord Stanley heard that the matter was to be referred to Earl Grey for decision, he said he should not look upon it as any reflection upon his (Lord Stanley's) decision, if Lord Grey should employ Mr. Langslow again, and that in fact he should be glad to find others had come to a conclusion contrary to that which he (Lord Stanley) had felt it his painful duty to express. The question, in fact, then was, whether Mr. Langslow was eligible for employment elsewhere; and if Earl Grey considered that he was fit for that employment, it would not be any reversal of Lord Stanley's decision. Having said so much, he (Mr. Hope) would add, that the subsequent non-employment, under the colonial administration of Earl Grey, was so far a proof of the validity of Lord Stanley's decision; but he knew that if it was otherwise decided by the present Colonial Government, Lord Stanley would not make the slightest objection to his re-employment. He thought, that the observations of the hon. Member for Winchester, as to the cause of Mr. Langslow's dismissal, were calculated rather to mislead the House as to the real cause of that dismissal. The hon. Member seemed to think that nothing further than being indolent had been shown to be capable of proof against Mr. Langslow. [MR. ESCOTT: Of being dilatory.] He thought that the decision of Lord Stanley had been placed upon very different grounds from that of being dilatory, for the noble Lord had distinctly stated that he had been dismissed in consequence of failure in temper, self-control, and discretion; and Mr. Langslow had been allowed the clearest opportunity of understanding the cause of his dismissal. It appeared from the correspondence of Mr. Anstruther, that for a long period Mr. Langslow had disposed of no more than six cases, and he had assigned no reason for that; and it was stated that from what had appeared, and the correspondence with Mr. Langslow, that the course which he had adopted had been the result of an improper and insubordinate contempt of the Government under which he was employed, the result of which was to render comparatively unsuccessful the exertions of the police in a large district; and that was a state of things which the Colonial Government could not longer permit to continue. It was quite clear that the cause for which Mr. Langslow had been dismissed was not merely dilatoriness. The hon. Member for Winchester had stated that nothing could be more satisfactory than the conduct of Mr. Langslow while in Malta; but the report on the subject of the administration of justice in Malta at the period, stated that they (the Commissioners) thought the office of Attorney General was useless in Malta, as, from the ignorance of the law of the island on the part of the gentleman who filled the office, and of his ignorance of the Italian language, he was unfit either for the business of the court, or for an adviser of the Government. It was rather an unusual circumstance for a Judge to get up—he would not say get up — but to receive popular addresses praising his conduct on the bench, and regretting that he was leaving that position which he had occupied; and that, in his (Mr. Hope's) opinion, gave a peculiar appearance to this case. Having shown that Mr. Langslow had not been dismissed because he was dilatory, but superseded for the general tenor of his conduct, he would not go into the question of whether Mr. Langslow had been dilatory or not, as there was evidence throughout the whole correspondence of his unfitness for the office which he held, such as justified his noble Friend Lord Stanley in no longer continuing Mr. Langslow in that office. He altogether denied the statement that Mr. Langslow had been dismissed from the office which he held in Ceylon in consequence of his conduct in Malta; but other facts were laid before Lord Stanley, and the previous conduct of Mr. Langslow only bore out the decision which the noble Lord had felt it his painful duty to pronounce. The hon. Member for Winchester had referred to the order of Lord Stanley, that the civil servants of the Government in Ceylon should not engage in the management of coffee plantations, and stated that the part which Mr. Langslow took in carrying out that order had caused a great deal of prejudice against him; but he could assure the House and the honourable Gentleman that Mr. Langslow had no concern at all in carrying out that order; and he could add that the civil servants in Ceylon were gentlemen of high character and standing; and for his part he should feel inclined to think more highly of Mr. Langslow's merits if he had not, in order to bolster up his case, endeavoured to detract from the character of those gentlemen. The hon. Member for Winchester had said, that he had read through all the papers, and he could find no proof of conduct on the part of Mr. Langslow to justify the charge of indiscretion; but had he seen the advertisement which Mr. Langslow had published in Ceylon? He was sent out by Lord Stanley, and upon arriving in Ceylon he considered that his salary was not sufficient, and he, therefore, desired an increase of salary; but during the discussions on the subject of his salary, he published an advertisement in Ceylon, offering for sale several valuable law books, and stating that he could not keep a valuable law library with such an insufficient salary. Now he believed that all the Members of that House would agree that nothing could express a greater desire to bring the Government into contempt than that advertisement, and particularly amongst an excitable population. Lord Stanley, in writing to the Secretary in Ceylon, stated that he had no desire to interfere with the disposal of Mr. Langslow's private property; but that parting with his law library would not form, in the opinion of the Government, any ground for not discharging his duty properly. Mr. Langslow had complained of having been insufficiently paid, and said that he would not have gone out if he had not been placed by the Government in a position in which he ought not to have been in common honesty placed; but it was not his noble Friend who was to blame, if any blame attached. It should be recollected, that it was the noble Lord opposite (Lord John Russell) who appointed Mr. Langslow, and not his noble Friend; and yet Mr. Langslow thought it decent and proper to complain, that in common honesty he ought never to have been placed in such a position by the Government. Again, Mr. Langslow complained to the Government of Ceylon of the onerous nature of his duties, and said that his health was failing, that he was worn out, and that the people were complaining of delay in the administration of justice in the south court; but also stating, "I must, however, add, that they do not complain of the Judge of that court"—namely, himself. The Government of Ceylon then offered to remove him to another district, the duties of which were less onerous; but Mr. Langslow, although he complained of the work of the district being too severe for him, said, in reply to this offer, that if it was intended by the Government to remove him from that district, he should question the power of the Government to do so. Now he asked whether such language as that could be tolerated in any officer? The proposal, however, to remove him being declined, it was found necessary to leave Mr. Langslow where he was, though he himself said, that he was unable to discharge the duties of his office. His conduct on this occasion showed, as he was sure the House would feel, a great want of temper and discretion. If the House, however, would look to page 18 of the correspondence, they would see that his noble Friend (Lord Stanley) contented himself with directing that Mr. Langslow should be admonished; and he thought that his noble Friend did not, if any thing, go far enough in saying that a public officer who would not, or could not, discharge his duties, should be merely admonished, and told that if he persevered in such a course of conduct, he should be obliged to remove him. But there was a third point to which he wished to call the attention of the House. At page 19 of the correspondence would be found a despatch of Sir C. Campbell, stating that Mr. Langslow's conduct was most mischievous, and that he should ultimately be obliged to remove him. The hon. Member for Winchester said that Sir C. Campbell was a soldier; but he thought him every whit as competent to judge of the conduct of an officer of the Government as the gentleman to whom the hon. Member had referred. Besides, it must not be forgotten that Sir C. Campbell was not sitting alone, but was assisted by his Council; and the Council stated that they had considered Mr. Langslow's conduct with attention, and thought that two serious cases of misconduct had been established against him. In proof of that statement they referred to two documents, one of which was a letter, and the other a speech of Mr. Langslow himself. They expressed their opinion that his conduct was a source of very serious and intolerable embarrassment to the colony; and that was the opinion of the whole Council, and not of Sir Colin Campbell alone. As to the charge against Mr. Langslow, with reference to his proceedings at Malta, they were only referred to because of similar proceedings which had taken place at Ceylon. It appeared that Mr. Langslow's son had become involved in some dispute which took place at a public ball at Colombo, and that the public prosecutor did not think proper to take up the affair. Mr. Langslow, it would seem, sought to magnify the matter into a great outrage upon his son, and wrote to the public prosecutor to say, that if the case for the prosecution failed except on its own merits, he should feel it necessary to bring the matter under the notice of the Government, and that he was induced to take that step because he had noticed several other failures. It appeared, therefore, from Mr. Langslow's own letter to the public prosecutor, that in this case also, as at Malta, he had interfered with the administration of justice. But the Council referred not only to this letter, but to a speech delivered by Mr. Langslow from the bench. This was upon the occasion of a decision of Mr. Langslow having been appealed from to the superior court. It appeared that an officer, while waiting outside the police court, in which Mr. Langslow presided, in whisking his whip about, struck a native. The place where this occurred was supposed to be within the precincts of the court, and Mr. Langslow accordingly fined the officer *5l.*, and sentenced him to imprisonment for ten days. An appeal was made to the superior court, and they remitted the imprisonment. When Mr. Langslow heard of this, he stated in open court that he was happy to find that those learned persons could find it consistent with their oaths to remit the imprisonment, and that he could only say that he did not find it consistent with his own to inflict a lighter punishment. He added, that he would in future inflict the punishment of imprisonment before there was any opportunity of appealing against his decision. And yet he was told that there was no want of temper or discretion exhibited on the part of Mr. Langslow. He must trouble the House a little further. The last letter in the correspondence was dated January, 1843; and in December in the same year, after time enough had elapsed for Mr. Langslow to have seen the propriety of making some change in the course of his proceedings, his noble Friend (Lord Stanley) received a letter from Sir Colin Campbell, stating that he had been compelled, with the unanimous advice of his Executive Council, to suspend Mr. Langslow from his office. The grounds on which he was dismissed were stated at page 61 of the correspondence; but his noble Friend did not proceed upon the charge of dilatoriness against Mr. Langslow, because when there was a question relating to the conduct of a judge in his judicial capacity, it was referred to the Committee of Privy Council. Even, therefore, if that question had been decided in Mr. Langslow's favour after a long litigation, the question would still have to be determined whether his conduct altogether was such as would have justified Lord Stanley in retaining him in his situation, in defiance of the Government of Ceylon, with whom Mr. Langslow was at open war. He thought the House would agree with him in thinking that his noble Friend was perfectly justified in not keeping that question back, and in determining the matter in issue at once. But he must call the attention of the House to another point, relating to a question which had arisen between Mr. Langslow and the Queen's Advocate at Ceylon. Mr. Langslow having permitted 338 criminal cases to accumulate in his court, packed up all the records, and sent them in a lump to the Queen's Advocate, simply because there was a dispute between them whether the proper mode of proceeding was, by an information on the part of the Queen's Advocate or not. In one case there was an appeal from his decision to the supreme court; and the judges having decided against him, he took a technical objection, and refused to give any information to the bar as to what his course of practice would be. Under these circumstances, his noble Friend had advised Her Majesty to revoke the appointment; and he thought that he was justified in giving that advice. Mr. Langslow left office in 1845, and he did not ask for an investigation into his case, nor deny the charges which had been preferred against him. He (Mr. Hope) did not wish to press the fact of acquiescence against him; but at the same time he must remark that it disabled his noble Friend from making further inquiry into Mr. Langslow's case. Mr. Gladstone afterwards came into office, and a complaint was made to him, upon which Mr. Gladstone wrote to Sir Colin Campbell. In his despatch of the 12th of August, 1846, Sir Colin Campbell said—

> "Whatever respect I may feel for the better traits in Mr. Langslow's character, I must adhere to my unshaken opinion, that his continuance as district judge of Colombo would have been most prejudicial to the prompt administration of justice, and inconsistent with the public interests."

This was the opinion of Sir Colin Campbell, after a careful review of all the circumstances of the case. He believed that his noble Friend could have come to no other conclusion in the matter than he had done, however painful it might have been to himself, or however injurious to the prospects of Mr. Langslow. It was imperative upon his noble Friend to put an end to what would have been a permanent and increasing evil to the colony.

Mr. F. BARING concurred in the opinion that it was extremely inconvenient, as a general rule, to discuss cases of this sort in the House of Commons; and it had never been his habit to interfere with the discretion of a Government in dealing with its executive officers. At the same time he could not consider the situation of a judge to be similar to that of any other executive officer; and he believed that there were circumstances in the present case to make it one for the serious consideration of the House. The hon. Gentleman the Under Secretary for the Colonies stated very fairly that this was a case which must be decided here, for there was no other appeal than to the House from the decision of Lord Stanley. That decision once pronounced, Mr. Gladstone had refused to open the case; and Earl Grey now stood by the decision of his predecessor. If, therefore, there had been injustice done, it was only in that House that it could be remedied. He was anxious, before entering upon any explanation, to state at once his belief that there was no man less likely willingly to commit an act of injustice than Lord Stanley. But he could submit, he thought, such a case to the House as would induce them at least to doubt whether that noble Lord had acted properly in the transaction. The situation of judge was one of some importance; and he had always considered that a judicial appointment should stand on different grounds from that of any other. He believed, also, that a judge ought not to be removed at the will of any officer of the Crown, however high might be his opinion. Rightly or wrongly, however, it happened that that power of dismissal was still exercised by the Secretary for the Colonies at his good will and pleasure. He thought that he expressed the opinion of every person who had any respect for the administration of justice when he said that that power ought to be exercised with the greatest discretion and care; and when the hon. Gentleman opposite placed so much reliance on the opinion of Councils and Governors of colonies, it should be remembered that it was frequently the province of a colonial judge to stand between the power of the European and the rights of the native; and that the functionary who may be an uncomfortable and embarrassing judge for the one party, is frequently the one who deals out justice with the most rigid even-handedness. The case against Mr. Langslow separated itself into two parts. He was first suspended by the Council for misconduct as a judge. Now, as to that part of the case, he quite admitted that, according to the practice of the Colonial Office, the grounds of his suspension were submitted to him, and that he had the power, of which he availed himself, of putting in a defence to the charges brought against him. But it was quite an error to suppose that Mr. Langslow had seen all the facts sent home against him. After the grounds of complaint had been submitted to him, after the defence which he had offered, a long and laboured answer was drawn up by the Council, alleging fresh instances of misconduct, and stating facts in corroboration of those charges—a document which Mr. Langslow had neither the opportunity of reading nor answering. And what were those charges? He was accused of being dilatory in the administration of justice, and of having manifested an insubordinate spirit, and shown a degree of improper contempt for the Governor. Now, as to dilatory justice: the charge depended upon what was understood by justice. Mr. Langslow certainly conducted his proceedings more slowly than they had been managed before, and for a very good reason. He took the opinion of a gentleman high in office in Ceylon as to the state of the law and the practice there; and what was his view of matters? Why, that in the course of one month he could fling the whole colony into a state of disturbance and discomfort. Such was the existing system in Ceylon. Now, what did Mr. Langslow say as to his dilatory conduct? He stated that it had formerly been the habit, when a case was brought forward, to proceed with it, without taking any means to summon or apprise the party accused or proceeded against, and then to come to a decision on the very loosest evidence. Mr. Langslow did not go on with his cases until the notice had been given to all the parties concerned. Here was one cause of delay. Another was the introduction of the practice of taking down the evidence in writing by means of an interpreter; and Mr. Langslow added that he was particular before causing a witness to sign his depositions, in taking care that the man was perfectly aware of the nature of the evidence he was about to vouch for. Now all this would of necessity cause some delay. On this portion of the case Lord Stanley had pronounced no decision. As far as administration of justice went, his Lordship found no fault. The other charges referred to acts of insubordination, and entertaining an improper contempt for the Governor. Now what was the degree of contempt which could be properly entertained, he would wish the law officers of the Crown to explain. He called upon the hon. and learned Gentleman (the Attorney General) to do so. What were the notions of Mr. Langslow's accusers of insubordinate conduct to the Governor? What notion had hon. Gentlemen learned in the law of such indefinite charges? He turned to the grounds upon which Lord Stanley had dismissed Mr. Langslow; and the reason of his dissatisfaction with these grounds was this, that Mr. Langslow had no opportunity before his dismissal of saying one word in his own defence, or offering a single sentence of explanation. Certainly, so far as his experience in connexion with the Treasury had gone, he would say that the notion of dismissing an official without giving him an opportunity of being heard in self-defence, would never have been for a moment entertained. Let them, at all events, do justice—let them not strike until they had heard. But Mr. Lanslow was dismissed for insubordination and contempt towards the Governor. To his conduct in the judgment-seat there was the highest testimonials; and to the public in Ceylon he had endeared himself by the firm manner in which he had administered justice. His temper, at all events, never showed itself on the bench. The hon. Gentleman opposite had taken advantage of every point in the correspondence which could be construed as evincing intemperance of expression or impropriety of conduct in Mr. Langslow. He had but a very slight acquaintance with the gentleman in question; but he certainly should have thought him the very last man to have indulged in anything dishonourable or disreputable. He did not say but that there were some expressions in his letters which he should have wished to have seen avoided; but he put it to the House whether there were not in the circumstances of the case grounds for warmth, and palliations for the use of somewhat exciting and excited language. It was hard to arraign a man upon expressions in letters without giving him some opportunity of explaining under what circumstances he wrote them. But take one of the instances in question. Take the case of the speech delivered by Mr. Langslow relative to the alteration of one of his sentences by a court of appeal. The House would have thought from the speech of the hon. Gentleman opposite, that the authenticity of that address had been admitted. Why, it was a mere newspaper report, and even the newspaper did not pretend to state that it was a correct report, for it stated that Mr. Langslow expressed himself to the "following effect." Change, therefore, a few words, and let the address be delivered as he (Mr. F. Baring) believed that it had been delivered, and nothing improper would be found in it. It was, in fact, merely the announcement of the fact of the superior court having seen fit to take a more lenient view of a case than Mr. Langslow had felt it to be consistent with his duty to adopt. He had, however, communicated with Mr. Langslow on the subject; and he had his authority for denying, distinctly and solemnly, that he ever entertained the slightest intention of casting any imputation on the judges of the superior court, or that he had the slightest idea that his words would be construed in any such sense. He stated that he had pronounced a severe judgment, which he was glad to see that the superior court had thought it consistent with its duty to mitigate. Surely, at all events, the report of the speech ought to have been submitted to him, and the question put as to whether it were or were not correct? The accusation against Mr. Langslow was, that he was a quarrelsome man—ready to fight every man; but now, when dismissed it was said he acquiesced in his sentence. The charges were inconsistent. The fact was, a judge was dismissed without being fairly tried. He hoped that now at least he might have an opportunity of defending himself. He hoped the noble Lord at the head of the Government would not permit this blot on colonial administration. He should give his vote cordially for the Motion.

Lord G. BENTINCK: Sir, when I came into the House I had no intention of taking a part in this discussion; but after the speech of the right hon. Gentleman opposite (Mr. Baring), I think it would ill become me if I remained silent and made no attempt to defend the conduct of my noble Friend Lord Stanley. The right hon. Gentleman acknowledges that the district judge of the southern division of Ceylon was guilty of great indiscretion in the publication of the first advertisement he issued in that colony; and I, Sir, cannot help thinking that the judge who could advertise for sale the law books, without the assistance of which he might not be able to pronounce an efficient judgment, would be very much in the position of an officer or a soldier in the Army who might be tried for selling his arms and accoutrements. The right hon. Gentleman who has just sat down has spoken of this gentleman as an admirable judge; but I think it is impossible for any one to read these papers, even in a cursory manner, without seeing that such praise is undeserved by him. My hon. Friend who sits by me quoted a judgment given by Mr. Langslow; and what could be more intemperate and unbecoming a judge than that judgment, passed as it was upon a gentleman for the offence of accidentally striking a native whilst he was amusing himself with his whip. For this offence Mr. Langslow, in the capacity of judge, passed the sentence of which you have heard. But what will be said when the House hears there is great reason to suppose that the true offence of the gentleman was, that he had, at a former period, carried a hostile message to one of the sons of this Judge? Was this, however, the only occasion on which there appeared to be reason to believe that Mr. Langslow, in the discharge of his judicial duties, was influenced by personal motives and private feelings with respect to his sons? His conduct whilst at Malta was of a similar character; and at that place his sons were constantly getting into hot water from misunderstandings with the police and the local authorities. But let us examine for a little what claims Mr. Langslow had to be considered an efficient administrator of the law. Sir Colin Campbell submitted a statement of the manner in which he discharged his duties, and contrasted it with the manner in which his brother Judge in the northern district did his duty; and what was the result? Why, the Judge of the northern district decided in civil cases, after hearing the evidence, 276 out of 1,842; while Mr. Langslow, out of 2,508, decided but 92. With regard to tribunal cases, his brother Judge decided 228 out of 652 cases, whilst Mr. Langslow, out of 969, decided but 109. So that when a comparison is drawn between two Judges, the Judge of the north district appears to have got through more business than Mr. Langslow did; so that I think there is no evidence which the right hon. Gentleman has afforded us can satisfy us of the expedition and indefatigable conduct of Mr. Langslow in the discharge of his duty. But when we hear of him as an admirable judge, and when the right hon. Gentleman says that a man may be insubordinate, or an incompetent judge, and still an excellent and impartial officer of justice, let me ask what was thought of him in that colony? And to what better authority can we appeal than the Council of Ceylon? The Council were unanimous, and they did not decide behind his back, as had been insinuated; they did not come to their judgment without hearing any defence, or knowing what Mr. Langslow had to say. But after the matter had been seventeen days before them, the Council came, amongst other things, to this unanimous judgment. I will not trouble the House by again reading the paragraphs read by my hon. Friend; but the Council say this:—

> "The Council perfectly coincide with the Queen's Advocate in his views of the tendency of the general line of conduct pursued by Mr. Langslow; but though they are of opinion that it is dictated by no creditable motives, and is likely to lead to most inconvenient consequences, they can fix upon no one specific charge which of itself would justify his suspension from office. In his most mischievous acts, it is easy for him to defend himself upon plausible legal grounds; and, under the full authority of the Charter and Statute-book, he may plunge the whole island into inextricable confusion. Under these circumstances, it appears safer to the Council to submit their views of Mr. Langslow's conduct to the Secretary of State, than to act upon them themselves. They would impress upon his Lordship the fact, that customs have grown up in this colony on every side, so frequently at variance with law, that a person so disposed may easily establish anarchy under the pretence of administering justice; and they take this opportunity of recording their opinion, that Mr. Langslow has evinced so unequivocal a disposition to take advantage of this unfortunate state of things, that they regard with great apprehension his holding any office which will enable him to give effect to such feelings. In support of this opinion, the Council would particularly call his Lordship's attention to the fact of Mr. Langslow having instigated his son (as proved by the declaration of the Judge of the North Court, and by further evidence which it is not necessary now to bring forward), to bring an action against Mr. Whiting, on the ground of that Judge's court not being situated within his proper district."

They again go on to state—

> "It is impossible for the Council to form any estimate of the dangerous consequences which are likely to follow from this step; its effect, if successful, will be to invalidate a long succession of judgments, and give rise to an endless number of actions against every officer of the North Court. Similar irregularities exist in other courts; and no doubt similar mischievous attempts will be made in respect of them, while there exists no power within the colony of providing a remedy. The Council would also call the attention of the Secretary of State to the letter of the superintendent of police, as furnishing facts equally illustrative of the motives and consequences of Mr. Langslow's conduct. The Council have strong reasons for believing that his motive in this instance was a desire of implicating a gentleman against whom he had a previous grudge; and the effect has been, as far as he is able to bring it about, to impair greatly the efficiency of the superintendent of police."

Now, I would ask whether that is the sort of man it was fitting for any Secretary of State to maintain in office as the judge of a distant colony? And though it may be perfectly true that in this country the office of judge is one irremoveable by the Crown, still I think the office of judge in this country is removeable on the joint address of both Houses of Parliament, and with the consent of the Crown. Well, did Lord Stanley remove Mr. Langslow on this representation, or upon any judgment of his own, or upon the unanimous advice of the Council after hearing evidence? No; he was not dismissed on this report of the Council, which was made in 1842. The Government at home and the Government at Ceylon were alike willing to give Mr. Langslow every chance of amending his conduct; and it was not till the 23rd of September, 1843, that Sir C. Campbell wrote home to Lord Stanley in these terms:—

> "It is with much regret that I have at length been compelled, with the unanimous advice of the Executive Council, to suspend Mr. Langslow, Judge of the District Court of Colombo, No. 1,

> South, with a view to his removal by your Lordship from the public service. So long as any grounds of complaint against Mr. Langslow consisted principally of disrespect and insubordination towards the Government, I felt myself exonerated from the absolute necessity for resorting to this extreme measure. I am aware that his insubordination has been so very publicly evinced on all occasions as to have had an injurious effect upon the public mind; and I am open to the imputation of having carried the forbearance too far."

The Governor then goes on to say—

> "It will be seen, from a letter to Mr. Langslow, dated the 5th of April last, copy of which accompanied that despatch, that I expressed a hope that he would for the future devote himself peaceably to his duties, in which case no further proceedings would be adopted against him; but so far from doing so, he soon after proceeded in a course which involved almost an absolute suspension of criminal proceedings in his court for many months, and had the effect of completely paralysing the police. I think it must be admitted to be a most extraordinary proof of the peaceable disposition of the people that no violent outbreak has taken place under such circumstances."

Imagine a Secretary of State maintaining a judge whose conduct was such that but for the extraordinary peaceful disposition of the people an outbreak would have ensued from his conduct. Mr. Langslaw—this superior judge, as the right hon. Gentleman who once filled the office of Chancellor of the Exchequer thinks him—was removed, and Mr. Temple was appointed in his place. And notwithstanding the great arrear of business, instead of feeling himself perfectly incompetent to the full discharge of his business, and applying at an early period of his judgeship for an additional officer to assist him, no sooner was he appointed than Sir Colin Campbell makes this report to Lord Stanley:—

> "I beg to call your Lordship's attention to the fact, that, between the 24th June and the 14th October, Mr. Langslow tried only four criminal cases, acted twice as coroner, and took preliminary examination in four cases for the Supreme Court; and that in the seven months ending the 31st October, he only decided forty-three civil cases on argument, and seventy-eight on evidence; and to the reports of the superintendent of police, as to the effect Mr. Langslow's conduct has had as regards his department. Immediately upon Mr. Langslow's suspension, I appointed Mr. Temple, the Deputy Queen's Advocate, to act as District Judge; and I enclose a letter from Mr. Temple, dated the 21st instant, forwarding a memorandum of the business done by him in eight days. Your Lordship will perceive from it that in that short period he has decided more civil cases on evidence than Mr. Langslow did in all November, and heard as many criminal cases as Mr. Langslow disposed of between June and November."

It is quite new that we are to be told that a judge is to be suffered to remain on the bench, the description of whose insubordination is this, that he refuses to perform the duties of his office—that a judge, who, in four months, disposes only of as many cases as his successor disposes of in eight days, is a man that deserves to receive the approbation either of the Secretary of State, or of the Colonies, or of this House. Sir Colin Campbell represents this work of Mr. Temple as by no means severe. Mr. Temple, it appears, was so perfectly competent to discharge those duties efficiently, that he assembled his court at the fashionable hour of eleven or twelve o'clock, and concluded at an early hour, there being no more business to be done. Sir Colin Campbell says—

> "I trust that these explanations I have given will satisfy your Lordships that the retention of Mr. Langslow any longer was impossible, and that I had no alternative but to suspend him from office."

Now, Sir, the right hon. Gentleman who just sat down was pleased to say that Lord Stanley dismissed this officer on grounds which were not sufficient to justify the dismissal of an exciseman. I appeal to the House, and to every man of common sense and understanding, whether Lord Stanley and Sir Colin Campbell did not bear with this judge till the period when it was impossible any longer to sustain him in his office, without throwing the whole colony into confusion; whilst the due course of justice had been impeded, interrupted, and interfered with to an extent which, I am sure, in no period of the history of this country would be endured. Why, Sir, I thought that in this country there was no subject to which the people were more alive than that justice should be expeditiously disposed of, and that the judgment-seat should be filled by a man, I will not say of mild, but at least of temperate conduct. But here we have a Judge who, originally when he was Attorney General at Malta, appears to have been influenced entirely by the personal quarrels of his son, and brought those family matters before the public; but afterwards when he was on a seat of justice in Ceylon, he actively interferes on an occasion where his son had got into some conflict with one of the officers of that island; and, when his son declined to prosecute, himself, the Judge of one court, in his own name, prosecutes in the other court. Sir, I think, so far as I can judge from the papers that I have looked over since I have been in the House to-night, that it does not require any great names to convince persons of common understanding that it was not possible that a more unfit man than this Mr. Langslow could hold the office of Judge; and that my Lord Stanley and Sir Colin Campbell were only consulting the best interests of the people of Ceylon, and only performing their duty in suspending him. And if I want confirmation of this opinion, it will be found that to the memorial to Her Majesty to revoke the sentence passed on Mr. Langslow, there was but one European signature attached, and that signature was the signature of the editor of the newspaper. Sir, I shall say "no" to this Address to the Crown.

MR. B. ESCOTT stated in reply that he had not alluded to the advertisement of the sale of the law books (which was an indefensible act), because Mr. Langslow had been previously censured for publishing that advertisement, and because the Colonial Secretary had told him he should hear no more of it. That act, therefore, could not have anything to do with his dismissal, and should not have been brought up in justification of Lord Stanley. After the statement of the Colonial Under Secretary, he did not think he had any occasion to divide the House; but he trusted the party now in power would do what they could to atone for the gross injustice done to Mr. Langslow.

Previous question, and Motion withdrawn.

POOR REMOVAL (No. 2) BILL.

The Adjourned Debate from July 8th, on the Second Reading of the Poor Removal Bill was resumed.

MR. BODKIN opposed the Bill, and contended that it would be productive of great hardship and inconvenience.

The CHANCELLOR OF THE EXCHEQUER wished to state shortly to the House the position in which the Bill stood. The House was aware that the Bill of last Session contained a proviso, of which an interpretation was given by the law officers of the Crown. That interpretation was generally acted upon throughout the country; but the question had been referred to the Court of Queen's Bench, and was now awaiting the decision of the Judges. The Bill before the House was based upon quite a different interpretation of the law, and would, if passed, throw the whole subject into confusion.

CAPTAIN PECHELL supported the Bill, and complained that the right hon. Baronet (Sir G. Grey) had first forced the Government business through the House. and then left the fag end of the night and a thin House to discuss a most important measure. It was absolutely necessary to have the law upon this subject settled, otherwise troops of paupers would be driven out of those parishes in which they had been long settled, to roam about the country in a state of starvation.

The House divided:—Ayes 5; Noes 44: Majority 39.

List of the AYES.

Jolliffe, Sir W. G. H.
Morris, D.
Newdegate, C. N.
Pechell, Capt.
Perfeet, R.

TELLERS.
Fitzroy, H.
Christopher, R. A.

List of the NOES.

Acland, Sir T. D.
Adderley, C. B.
Aglionby, H. A.
Arundel and Surrey, Earl of
Blackburne, J. I.
Bodkin, W. H.
Brotherton, J.
Buller, C.
Buller, E.
Chapman, B.
Clifton, J. T.
Craig, W. G.
Denison, E. B.
Evans, W.
Ferguson, Sir R. A.
Gibson, rt. hon. T. M.
Grey, rt. hon. Sir G.
Henley, J. W.
Hill, Lord M.
Hobhouse, rt. hn. Sir J.
Hutt, W.
Inglis, Sir R. H.
Jervis, Sir J.
Layard, Major
Macaulay, rt. hon. T. B.
M'Carthy, A.
M'Geachy, F. A.
Maule, rt. hon. F.
Monahan, J. H.
Morpeth, Viscount
Morison, Gen.
O'Brien, T.
O'Connell, M. J.
Ogle, S. C. H.
Parker, J.
Romilly, J.
Ross, D. R.
Russell, Lord J.
Rutherfurd, A.
Strutt, rt. hon. E.
Thornely, T.
Ward, H. G.
Wood, rt. hon. Sir C.
Yorke, H. R.

TELLERS.
Tufnell, H.
Somerville, Sir W.

Bill thrown out.

House adjourned at quarter to Twelve o'clock.

HOUSE OF COMMONS,

Wednesday, July 14, 1847.

MINUTES.] PUBLIC BILLS.—2° Fever Hospitals; Consolidated Fund.

Reported.—Bankruptcy and Insolvency; Militia Pay; New Zealand (No. 2); Trustees Relief.

3° and passed:—Constabulary Force (Ireland), &c.; Destitute Persons (Ireland, No. 3); Public Works and Drainage (Ireland); London Bridge Approaches Fund; Copyright (Colonies).

PETITIONS PRESENTED. By Mr. Ferrand, from Clergy of Dublin, and elsewhere, for Repeal of Laws sanctioning the Practices of the Church of Rome.—By Mr. T. Duncombe, from Colliers of Lancashire, in favour of the Collieries Bill; from Islington, and Uxbridge, in favour of the Fever Hospitals Bill; and from Robert Owen, for Inquiry.—By Lord G. Bentinck, from James MacHale, P.P. of Hollymount (Mayo), complaining of the Dismissal of Labourers from the Relief Fund (Ireland).

COLLIERIES BILL.

Mr. T. DUNCOMBE moved the Second Reading of the Collieries Bill. He had introduced it in consequence of a larger measure on the subject having been rejected by the House. The present Bill applied only to certain collieries in Lancashire and Staffordshire called "firing collieries." They were well known to be so dangerous that safety lamps were always used; but yet gunpowder was still employed in them for blasting the coal; it was the object of the Bill to protect the workmen against the danger arising from this practice. It was divided into two parts: the first four or five clauses gave power to the Secretary of State to demand information as to these mines and collieries, and to be furnished with a map of them; in case of any accident, it was then proposed that he should appoint an inspector to inquire into the state of the mine, and report upon it. If the 5th and 6th Clauses were objected to in Committee on the ground of their too stringent character, he would have no hesitation whatever in withdrawing that portion of the Bill; but he believed the House ought, before the close of the Session, to pass some measure of this kind to protect the lives of that meritorious and industrious body of men, the miners, in their useful but dangerous occupation. The Bill which he now asked the House to read a second time had been drawn up with a view to making it as satisfactory as possible to the owners of the collieries; and there was every desire on his part to make such alterations or omissions as the right hon. Gentleman the Secretary of State for the Home Department might think most conducive to the object contemplated.

Sir G. GREY greatly regretted that the hon. Gentleman had again proposed a Bill of this character at so late a period of the Session, and after the very decisive opinion on this subject which the House had already pronounced. He believed that legislation in this direction, at the present moment, however desirable, would be exceedingly dangerous; and when full time had been permitted for consideration and inquiry, he did not doubt that interference for the purpose of preventing accidents in collieries and mines would be much more effectual. The propositions of the hon. Gentleman to withdraw the 5th and 6th Clauses would not remove the objections inseparable from the Bill, because the 4th and 5th were those which really applied to the restrictions proposed to be placed upon the use of gunpowder in collieries; and while the question was under consideration, and while the opinions of the owners of collieries were being consulted, and the fullest inquiries were being made into the best means of attaining the end in view, it would not be desirable to pass a Bill so stringent and so ill considered as this. The hon. Gentleman proposed to empower the Home Secretary not only to give orders for inspection on the occurrence of an accident, but to issue those regulations which might seem best adapted to the state of the colliery; and, should those orders be disobeyed, the owners of the colliery would be liable to be prosecuted for a misdemeanor. The Secretary of State would, of course, use his discretion; but he might not be in a position to draw up the best possible regulations; and if, in consequence of the neglect of the precautions which he had required, an accident should occur, and with a fatal termination, the offence no doubt would be manslaughter. Now, to this proposition, he (Sir G. Grey) was not disposed to agree. He fully admitted the importance of the subject, and the absolute necessity of taking some measure of general precaution; and he had no hesitation in saying that the colliery-owners were most desirous of co-operating with the Legislature to insure the greater safety of life in mines and collieries. He therefore trusted that the hon. Gentleman would rest satisfied with attention having been directed to the point, and for this Session withdraw the Bill. The right hon. Gentleman moved that the Bill be read that day three months.

Mr. WILSON PATTEN stated, on the part of the colliery-owners, that the strongest objections were entertained to this Bill. They were willing to be bound by such regulations as, after due consideration, the Legislature might enact, knowing that their interest, not less than that of their workmen, was involved in the safety of the occupation in collieries; but they altogether denied that the proposition of the hon. Gentleman was applicable to the circumstances, or was likely to insure that result.

Mr. HUTT hoped that the hon. Gentleman would withdraw the Bill, as the Government had now taken the subject into consideration.

Mr. WAKLEY was convinced that no proposal involving interference in collieries would ever be submitted to by colliery-owners, or by their representatives in that

House; and he entreated the right hon. Gentleman to take up this Bill, and, in Committee, effect the alterations which would best adapt it to the accomplishment of the humane object of saving human life in collieries.

Mr. LIDDELL denied the assertion that no Bill could be brought in for the prevention of accidents in collieries which would not be accepted by the owners. They especially desired that limited interference which was called for; and to a carefully-weighed measure, introduced on the responsibility of the Government, they would have no objection. It could not be expected that such a hastily-prepared Bill as this, proposed at the very close of the Session, and on the eve of the expiration of Parliament, could receive the approbation of the parties interested; and he hoped the House would reject it.

Mr. BERNAL said, that although his name appeared on the back of the Bill, he did not approve of all the clauses. One good point in the Bill was the power of supervision given to the Secretary of State. Now, although it might be said that the Secretary of State could not know the peculiar requirements of various districts, yet why could he not avail himself of the experience and knowledge of persons locally connected? His hon. Friend had been charged with bringing in this Bill at too late a period of the Session; but it should be remembered, he had been forced to do so by the late colliery accident near Wigan, which terminated in such fatal results. Although he approved of much of the principle of the Bill, still he suggested to his hon. Friend the propriety of postponing it until the next Session, as it could not be expected that he could gain any advantage by pressing it on the 14th of July. If his suggestions were complied with, he would promise his support when the measure should be again proposed.

Mr. HINDLEY inquired whether the hon. Gentleman had considered the evidence adduced before the Committee of 1835? He had been a Member of that Committee; and the result of his labours only went to show the necessity of proper inspection. To that principle, then, he gave his cordial support; but he could not go the length of the 5th and 6th Clauses of the Bill. Inspection should be directed to the subject of ventilation, as to the want of it was traceable the great majority of accidents.

Mr. FERRAND hoped the House would bear in mind that the Bill applied equally to masters and workmen—that it proposed to punish masters and workmen alike for violation of its provisions; and that was one of the reasons why he supported it. The accidents that had of late taken place in coal mines were disgraceful to the country. He was himself interested in coal mines; but he felt himself so much the more called upon to support a measure of this kind. He should like to hear a statement from the Secretary of State that he would certainly promote a measure giving him the power of inspection. If he had not such a power, the House ought to put it into his hands. He asked if it was surprising that the colliers throughout the country should be in a dissatisfied state, when the petitions which they had presented, signed by thousands, had constantly been refused? and could the House be surprised if during the recess there should be large meetings of that class, and that perhaps the Secretary of State might be called upon to send down the military to keep the peace, and all this because the House refused to legislate for their benefit?

Mr. R. YORKE, if the right hon. Baronet (Sir G. Grey) would give a guarantee that he would introduce a similar measure to the present, would advise the hon. Member for Finsbury to withdraw his Bill; but, if not, he would recommend him to press it to a division.

Mr. NEWDEGATE was anxious that protection should be given to the persons working in collieries; but he considered that the provisions of this Bill were altogether of too stringent a character. He was in favour of inspection; and he hoped that the Secretary of State would exercise vigorously that power of inspection which he already possessed. As one who was himself connected with this important interest, he could not refrain from expressing his opinion that the imputations cast on the coalowners were most unfair and undeserved. If the hon. Member for Finsbury was anxious to do good, let him look to the nature of the provisions he was anxious to introduce.

Mr. FOX MAULE said, there seemed to be little objection to the general principle of the Bill, and that the question, therefore, resolved itself into one of time alone. He considered that in providing for the safety of the lives of the labourers in collieries, they ought to guard against any invasion of the rights of private property in those important interests. He admitted the necessity of adopting the principle of the Bill; but he considered the measure was one which ought to proceed from the Government of the country. He gave the hon. Member for Finsbury credit for the best motives in introducing the Bill; but it was not fair for him to charge the House with indifference towards the interests of the working classes of the country. It should be borne in mind that in the present Session the Parliament of the country had passed a Ten Hours Factory Bill, in order to ameliorate the condition of the numerous classes employed in factories. As the power of inspection was at present vested in the Secretary of State, and as that right hon. Gentleman had stated his intention to consider the measure in all its bearings in a future Session, he hoped the hon. Gentleman who had the charge of the Bill would leave the matter in the hands of the Government. If the House went to a division, he would vote against the Bill, although he approved of its principle, because he considered it would interfere with the rights of private property, and was not the measure required to meet the case.

Mr. FORSTER denounced the Bill as the most absurd and useless Bill that ever was laid upon the Table of the House: indeed, he was surprised to see the names which were appended to the Bill; for only in addition to the names of the hon. Members for Finsbury and Weymouth, he found the name of Mr. Aglionby. He was sure Mr. Aglionby had never read the Bill. The measure, in point of fact, was the production of a Mr. Roberts, who had visited the counties of Durham and Northumberland, with the motive of getting the grievances of the people redressed, but who appeared to have ill considered the subject when he proposed a measure of this nature. He (Mr. Forster) knew that the coalowners were anxious for inspection; and, although this Bill included inspection, still he believed it was not framed in a manner calculated to meet the object in view, and he would oppose it.

Mr. TRELAWNY expressed his intention to oppose the present Bill on the same grounds that he opposed other measures of a similar nature, namely, that he was opposed to all interference between masters and men.

Mr. BOUVERIE said, that he would support the second reading of the Bill if the hon. Gentleman pressed it to division, because, after the late accidents which occurred, he thought that some legislation was absolutely necessary, although he did not think that any interference would altogether prevent their occurrence. He thought that coalowners should be made responsible in the courts of law for the injuries which the men received in their works, as was the case in France.

Mr. T. DUNCOMBE replied, and defended his motives for introducing the Bill. He reminded the House, and those hon. Gentlemen who were interested in coalmines, that his reason for introducing the Bill was, to protect the lives of hundreds of thousands of their fellow-creatures engaged in collieries. He admitted that the observation of the right hon. Secretary at War (Mr. Fox Maule) was quite correct, that the measure ought to be brought forward by the Government; but the Government had not undertaken it, and it was upon that account he had introduced a short Bill to protect the lives of those unfortunate persons until the Government could introduce a measure of their own. It was not fair to compare the condition of those men with the condition of the slaves employed in factories, for the former were bound down by stringent contracts to work for a twelvemonth, and therefore had not the opportunity of escaping from danger. He implored the House to pass the Bill for one year, in order to see how it would work; and in the meantime the Government could propose a more comprehensive measure of their own. He contended that in the case of the late accident near Wigan, the Secretary of State had not the power to order immediate inspection; for when he was asked to do so, he declared he had not the power. In that case an act of great inhumanity, disgraceful to the country and eminently disgraceful to the coalowners, had occurred in bricking up the mine and consigning the unfortunate men to a horrible death, in order that a small portion of coal might be saved. How would hon. Gentlemen like to be treated in such a manner themselves? If six of them were in the next room, and a fire broke out in it, would it not be considered monstrous and inhuman that the other Members of the House should order the door to be bricked up on the supposition that the men were dead? Feeling assured that the principle of the Bill was correct, and that its provisions were urgently called for, he would be no party to the continuance of a system which annually caused such a dreadful sacrifice of human life. Whatever was considered objectionable in the details of the Bill, he was prepared to alter; but he would press the second reading to a division, and thus throw upon the Government the responsibility of rejecting the measure, and the responsibility of the human life that might be lost.

LORD H. VANE expressed his astonishment that the hon. Member for Kilmarnock (Mr. Bouverie) and other Members should vote for the second reading of a Bill the details of which they disapproved. In answer to the hon. Member for Finsbury (Mr. Duncombe), he denied that long contracts were now in existence in the north of England. As the right hon. Gentleman below him (Sir G. Grey) had announced his intention of bringing forward a Bill on this question next Session, and as it was so much more advisable that Bills of this nature should be introduced by the Executive Government, he trusted few Members would be induced to vote for the second reading.

MR. ESCOTT said, that the question was whether or no immediate legislation was necessary; and he thought something ought to be done, as the loss of lives amounted to 600 annually.

The House divided on the question, that the word "now" stand part of the Question:—Ayes 23; Noes 56: Majority 33.

List of the AYES.

Arkwright, G.
Blackburne, J. I.
Boldero, H. G.
Borthwick, P.
Bouverie, H. E. P.
Cabbell, B. B.
Escott, B.
Evans, Sir D. L.
Ferrand, W. B.
Fuller, A. E.
Hall, Sir B.
Hindley, C.
Hornby, J.
Humphery, Ald.
Martin, J.
Morris, D.
O'Connell, M. J.
Packe, C. W.
Palmer, G.
Pechell, Capt.
Perfect, R.
Repton, G. W. J.
Yorke, H. R.

TELLERS.

Duncombe, T.
Wakley, T.

List of the NOES.

Aldam, W.
Arundel and Surrey, Earl of
Baine, W.
Barrington, Visct.
Blackstone, W. S.
Blakemore, R.
Bowring, Dr.
Brotherton, J.
Brown, W.
Byng, rt. hon. G. S.
Carew, W. H. P.
Cowper, hon. W. F.
Cripps, W.
Denison, W. J.
Denison, E. B.
Divett, E.
Duncan, G.
Dundas, Sir D.
Du Pre, C. G.
East, Sir J. B.
Ebrington, Visct.
Egerton, W. T.
Forster, M.
Gibson, rt. hon. T. M.
Goring, C.
Grey, right hon. Sir G.
Hamilton, G. A.
Hawes, B.
Henley, J. W.
Houldsworth, T.
Jervis, Sir J.
Jones, Capt.
Labouchere, rt. hon. H.
Liddell, hon. H. T.
Lindsay, Col.
Lygon, hon. Gen.
Macaulay, rt. hn. T. B.
M'Taggart, Sir J.
Mahon, Visct.
Miles, W.
Mitchell, T. A.
Monahan, J. H.
Morpeth, Visct.
Munday, E. M.
Newdegate, C. N.
Ogle, S. C. H.
Palmer, R.
Plumridge, Capt.
Prime, R.
Reid, Col.
Sheil, rt. hon. R. L.
Strutt, rt. hon. E.
Thornely, T.
Trelawny, J. S.
Vane, Lord H.
Vivian, J. H.

TELLERS.

Hill, Lord M.
Parker, J.

PARLIAMENTARY ELECTORS BILL.

SIR DE L. EVANS moved the Second Reading of the Parliamentary Electors Bill. He thought the payment of rates, as affecting the vote of the elector, ought to be regulated by the same principle in towns as in counties; and characterized the working of the Reform Bill in this respect as absurd and unjust. In many parishes there was but one rate made in the year, and in others one in six months, in three months, or in some cases once a month; the law as it stood was, therefore, not equally applicable to all these different practices. The Bill was so moderate, that he must say hon. Gentlemen who would oppose so mild and moderate a proposition, would also restore again the days of Old Sarum and Gatton. He was anxious again to see in the next Parliament the agreeable countenances of hon. Gentlemen opposite, and he, therefore, thought they had better support this Bill, as it would give rise to disagreeable questioning on the hustings if they did not. An hon. and eloquent Gentleman not then present had drawn very nice distinctions between liberal professions and popular principles; but this Bill, he would contend, was really liberal, and he was equally certain that it would be popular. The object was to give six additional months for the payment of rates.

MR. NEWDEGATE said, the gallant Officer had disclaimed being a party to an understanding which existed in that House. The hon. and gallant Gentleman was not present, and therefore he perhaps had a right to repudiate. But, at the same time, the understanding did exist and had been acted on. Instead of moving that the Bill be read that day three months, they had on that occasion merely divided as to its postponement with a view to its being withdrawn; but when he saw that the gallant Officer named an early day, he (Mr.

Newdegate) regretted that division had not been on the merits of the Bill. His object, however, in rising was to call the attention of the House to the circumstances under which this Bill was introduced. A Bill connected with the registration of voters, had been introduced two months before by his hon. Friend the Member for Midhurst (Mr. Walpole), and it was read a second time without a division. They were then told that it was too late to proceed with that Bill, as it would open the whole question of the franchise immediately before a general election. Her Majesty's Ministers proved that they were in earnest in making this objection, by withdrawing a Bill of their own of a similar character to that now pressed by the hon. Member for Westminster. These, he thought, were valid objections to any legislation on that subject at that time; and they applied with equal force to the Bill now proposed to be read a second time. It might or it might not be desirable to repeal the ratepaying clauses of the Reform Bill; but if there was any period at which it would be unfair to do that, it was immediately before a general election. [Mr. Wakley : The Bill would not apply at the ensuing general election.] He saw no reason, then, why the Bill should not be deferred until a future Session. He objected to proceed one stage with the measure, because its passing into a law would have no immediate results; and he thought it very unfair that it should now be brought forward merely for the purpose of raising an election cry. His own opinion as to the franchise was, that it should be held sacred; and in this Bill the principle of the franchise was invaded. The necessity of having paid the taxes as a condition was one of the principles on which the franchise rested; and any attempt to alter it now from any desire of a temporary popularity was unworthy of the House. He trusted after what had passed the Government would lend no hand to any such proceeding, The House had divided on the subject, and had decided that this measure should not be pressed. What good could result from pressing this Bill now? The Government were pledged to bring in a measure on the subject next Session; and such a measure was best in the hands of responsible parties. The hon. and gallant Member had stigmatised the 10*l.* occupancy as absurd, and said that it was still more absurd to insist on the payment of rates and taxes. There were but two principles on which the right to vote were based—that of value, and that of having paid the taxes—and if the hon. Gentleman objected to both these, he was at a loss to conceive on what principle he would place the franchise. [Sir De L. Evans : Household suffrage.] The natural termination of such an attempt would, if successful, be universal suffrage; and he should therefore oppose it still more strongly. It was true that the Bill only contained one clause; but it contained a principle on which might be founded an alteration of the present system. In short, after the decision of the House, that it would not open this grave question at that period of the Session; after the Gentlemen on his side of the House had withdrawn a Bill on this subject on that account, which had passed its second reading, and had been approved by a Committee; after the Government had also sanctioned the policy of not interfering with this question, so near the dissolution, by withdrawing their own Bill; after they had been told by the hon. and gallant Gentleman that its intended effect was to get up an election cry very unfairly, he trusted the House would agree with him and throw out the Bill.

Sir W. CLAY supported the Bill. The ancient system of voting consisted in possessing the franchise by occupation and the payment of taxes; but he defied any one to say, that before the passing of the Reform Bill, the one was conjoined with the other. He supported the Bill, not because it accomplished all he wished, but because it would take away an unfair restriction. The hon. Gentleman said, that the Bill was brought forward as an election claptrap. It was by no means an unwise step, at the end of a Parliament, to show the people of this country who were their friends, and who were opposed to their liberties. The hon. Gentleman (Mr. Disraeli) who used the expression "popular principles and liberal principles" was more noted for mooting difficult political problems than for answering them. It was far easier to ask questions than to answer them; but he thought it was a distinction without a difference. No principle, in his opinion, could be popular without being liberal, and every liberal principle would sooner or later be popular.

Mr. WAKLEY supported the Bill, as he considered that it would enfranchise an immense body of properly qualified persons. The hon. Gentleman the Member for Warwickshire (Mr. Newdegate) was no doubt a just man and a friend of the people, for he had voted for the Ten Hours Bill, and had on many occasions shown towards large classes of the community a kindly disposition. He believed the hon. Gentleman to be a strictly just man; but he had got a crochet on this subject, which it was to be hoped he would soon get rid of. The Reform Bill was very liberal to voters who obtained that right by descent, by marriage, or by gift; it said nothing about rates on any particular day; and why should there be such an odious distinction between them and other classes, who as householders had a right to the privilege? Why should there be this anomalous distinction between county and borough voters? He wished to see the ratepaying clauses of the Reform Bill repealed, because if a man did not pay his rates he was answerable to the law, and his goods might be distrained upon; and surely this was an unfair restriction to continue when they had such a power. He did not object to annual Parliaments, because "short reckonings made long friends;" and the character of the House would be elevated by more frequent communion with those who sent them there. When a Member was about to meet his constituents, it was astonishing what attention he paid to questions which his constituents were likely to discuss with him at the hustings. Under the present law many persons of property were disfranchised. The Governor of the Bank had his vote disallowed on one occasion, because he had not paid his rates by a certain day. He trusted the opposition would be withdrawn, and that the Bill would be carried.

MR. CRIPPS hoped, that if the hon. Member for Finsbury (Mr. Wakley) brought in a Bill for annual Parliaments, he would also propose that the office of county coroner, which was one of considerable emolument, should also be made an annual appointment. [Mr. WAKLEY was ready to resign that office whenever he was called upon.] The hon. Gentleman had argued that there should be no distinction between county voters and town voters; but the two cases were not in the slightest degree analogous. There was as much difference between them, as between a voter for an East India Company's director, and for a county coroner. A person might be an elector for a county without being liable to pay a tax of any kind whatever, while the borough voter rested his privilege solely on the amount of rates and taxes he paid. He thought the three months mentioned in the Reform Bill, which was merely an allowance of time to the voter, was quite sufficient. When he heard the speeches of hon. Members on former occasions on this subject, he thought that vast numbers of the constituencies were disfranchised; but he was surprised when he examined the return moved for by the hon. Gentleman opposite to find that there were a mere nothing, something like 20,000 in the whole of the country; and it was well known that a large proportion of every constituency voluntarily allowed themselves to be disfranchised by that clause, in order to avoid the trouble of voting, and the risk of disobliging friends. He moved that the Bill be read that day six months.

SIR B. HALL believed that the number of electors would be doubled in Marylebone if the ratepaying clauses were abolished. He was decidedly in favour of the Bill, as it gave the electors a greater margin as to time; indeed, its only fault was that it did not go far enough. He hoped the gallant Officer would take the sense of the House upon it.

MR. HENLEY opposed the measure. He thought this matter should be left as settled by the Reform Bill, when the Liberal party had the stick in their own hands. He also disapproved of the Bill, because it held out an inducement to the poor to run into arrears with respect to rates and taxes. No friend of the poor would encourage anything so detrimental to their interests.

CAPTAIN PECHELL remarked, that the parish officer would always take care that the poor owed as little rates as possible, and that this matter would not have been left unsettled by the Reform Bill, if a certain Field Marshal in another place had not designated the principle now proposed as another step towards universal suffrage, and declared that it was calculated to upset our glorious Constitution.

The House divided on the question, that the word "now" stand part of the Question:—Ayes 54; Noes 54.

MR. SPEAKER declared himself with the Ayes.

The Question was then put, that the Bill be now read a Second Time. The House divided:—Ayes 52; Noes 53: Majority 1.

List of the AYES.

Aglionby, H. A.	Borthwick, P.
Aldam, W.	Bouverie, hon. E. P.
Arundel and Surrey, Earl of	Bowring, Dr.
	Brotherton, J.

Brown, W.
Buller, C.
Buller, E.
Clay, Sir W.
Colebrooke, Sir T. E.
Collett, J.
Denison, W. J.
D'Eyncourt, rt. hn. C.T.
Divett, E.
Duncan, G.
Duncombe, T. S.
Dundas, Sir D.
Ebrington, Visct.
Ellis, W.
Escott, B.
Gibson, rt. hon. T. M.
Gore, hon. R.
Gower, hon. F. L.
Grosvenor, Lord R.
Hawes, B.
Hill, Lord M.
Hindley, C.
Humphery, Ald.
Hutt, W.
Jervis, Sir J.
M'Carthy, A.
Martin, J.
Mitchell, T. A.
Monahan, J. H.
Ogle, S. C. H.
Osborne, R.
Parker, J.
Pechell, Capt.
Perfect, R.
Philips, M.
Pinney, W.
Rich, H.
Sheil, rt. hon. R. L.
Somerville, Sir W. M.
Strutt, rt. hon. E.
Thornely, T.
Wakley, T.
Ward, H. G.
Williams, W.
Yorke, H. R.

TELLERS.

Evans, Sir De L.
Hall, Sir B.

List of the NOES.

Archdall, Capt. M.
Austen, Col.
Barrington, Visct.
Bateson, T.
Beckett, W.
Blackstone, W. S.
Blakemore, R.
Boldero, H. G.
Botfield, B.
Bowles, Adm.
Broadley, H.
Carew, W. H. P.
Clive, hon. R. H.
Codrington, Sir W.
Denison, E. B.
Douglas, Sir C. E.
Duckworth, Sir J. T. B.
Du Pre, C. G.
East, Sir J. B.
Egerton, W. T.
Farnham, E. B.
Fuller, A. E.
Gardner, J. D.
Gaskell, J. M.
Goring, C.
Greene, T.
Hamilton, J. H.
Hamilton, G. A.
Hamilton, Lord C.
Henley, J. W.
Hotham, Lord
Houldsworth, T.
Jermyn, Earl
Jones, Capt.
Kelly, Sir F.
Lefroy, A.
Lindsay, Col.
Mackinnon, W. A.
Mahon, Visct.
Manners, Lord J.
Miles, W.
Mundy, E. M.
Neeld, J.
Neville, R.
Palmer, R.
Palmer, G.
Patten, J. W.
Prime, R.
Reid, Col.
Repton, G. W. J.
Round, J.
Trotter, J.
Waddington, H. S.

TELLERS.

Cripps, W.
Newdegate, C. N.

BANKRUPTCY AND INSOLVENCY BILL.

Bankruptcy and Insolvency Bill reported with Amendments.

Amendments agreed to.

MR. G. A. HAMILTON stated he had now to move the Clause of which he had given notice. The object of the clause was to declare that wherever the word barrister or attorney was used in the Bill, it should be taken to mean a barrister called to the bar either in England or Ireland; and the word attorney, in the same way, should mean attorney at law either for England or Ireland. The subject involved in this clause was very fully discussed in the House of Lords when the Vice Chancellor's Bill was before it in 1841; and a clause was then added to the Bill, moved by Lord Campbell, in which it was declared that wherever the word barrister was used, not only in that particular Bill, but in every Act of Parliament passed up to that period, it should be held to mean a barrister equally of England or Ireland. That clause was supported by the most eminent of the law Lords. It was supported by Lord Cottenham, by Lord Lyndhurst, by Lord Brougham, and was supported also by the Duke of Wellington. The clause, of course, applied only to Acts passed previously; but since then several most important Acts had passed, especially the County Courts or Small Debts Act of last Session, to which the principle was equally applicable. A very important Select Committee had sat last Session on legal education, of which Committee he was a Member, and had examined several witnesses on the subject of an interchange of legal functionaries between the two countries; and, amongst other eminent men, they had examined Lord Brougham and Lord Campbell. Both those learned Lords recommended the principle of this clause, namely, that barristers of each country should be placed on precisely the same footing with respect to eligibility for office. He, under these circumstances, hoped the Government would not object to the clause he had described which he would conclude by proposing.

Clause brought up and read a first time.

On the question that it be read a second time,

The ATTORNEY GENERAL said, he was sorry to be obliged to oppose the clause proposed by the hon. Member for the University of Dublin. He objected to it as being contrary to the rules of the House, not coming within the preamble of the Bill; and he appealed to the Speaker on that point. He objected to it also as opening again the question which had been discussed last Session, and which the House had already on that occasion decided, namely, that the Irish barristers were not to be eligible for judicial offices in county or local courts in England.

MR. STUART also objected to the clause. He was sorry he could not give it his concurrence, at least at present; it involved many important considerations. The clause went to render not only barristers, but attorneys eligible to offices in

England. He hoped his hon. Friend would not press his Motion to a division; if he did, he should be obliged to vote against him.

MR. G. A. HAMILTON said, that if the sense of the House was against him, he did not wish to give them the trouble of dividing; but he felt strongly on the subject. Perhaps, as there was some confusion in the House when he had taken the liberty of stating the reasons on account of which he had proposed the clause, he might be allowed to repeat that it was simply to carry up to the present time the operation of a clause which no one had objected to in 1841, and by which barristers in each country were respectively made eligible to appointments in the other. Since then, Lord Campbell, Lord Brougham, and other eminent men, had declared themselves in favour of a complete assimilation in those respects between legal functionaries and the legal profession in England and Ireland. Lord Campbell had stated in evidence that Lord Wellesley was of opinion that it would tend very much to benefit the United Kingdom if there was one law for England and Ireland, and that there should be, in interchange, that English barristers should be appointed Irish Judges, and that Irish barristers should be appointed English Judges.

Clause negatived.

Bill to be read a third time.

JUDGES OF COUNTY COURTS.

SIR J. GRAHAM wished to ask a question of the Attorney General, respecting which he would have given the hon. and learned Gentleman notice; but the matter to which it referred had only become known to him within the last twenty-four hours. He had heard that one of the Judges appointed to one of the county courts was now a candidate for a seat in that House during the next Session. Now, so far as he was concerned, he by no means contemplated any such eligibility on the part of any of these judges. He supposed that their time would be too fully occupied in the discharge of their duties. The Bill which was now passing the Legislature imposed fresh duties upon them, and there was no doubt that they would be fully occupied now. There was no actual disqualification in the Act of last Session. Yet this was a new office, and although the judges of the county courts were appointed by the Lord Chancellor, and not by the Secretary of State, the question might arise whether they were not officers appointed by the Crown. He wished to ask the Attorney General whether these officers were eligible to sit in Parliament?

The ATTORNEY GENERAL said, his attention had been directed to this matter. The Act of Parliament did not give to the Crown the power of appointing the judges of these local courts, but gave the appointment to the Lord Chancellor. The question then arose whether they were not "places or offices of profit under the Crown." Parliamentary precedents might be cited both on one side and the other, a Select Committee of that House having given an opinion one way, and an Election Committee having given an opposite decision. If he gave an explicit answer to the question, he might, by giving an opinion which might not be upheld by an Election Committee, compromise the exercise of the franchise by the electors; and if, on the other hand, he should say that the candidate was qualified to sit, and the Committee were determined that he was not, the candidate and the Committee would both have cause to complain. For these reasons, if the House did not think it would be inconsistent with his duty, he must beg to decline answering the question.

SIR J. GRAHAM at once yielded to the reasons given by the hon. and learned Gentleman, and would not press for an answer to his question. But, as the law was so doubtful upon this point, he thought it would be the duty of the House to clear it up. And, although he disapproved of the practice of moving Amendments of importance upon the third reading of Bills, as cutting off the opportunity which hon. Members ought to have of expressing their assent or dissent respecting these points upon the different stages of the Bill, he gave notice that he would, on the third reading of the Bankruptcy and Insolvency Bill, bring up a clause disqualifying the judges of county courts from sitting in Parliament.

SIR G. GREY could say that, whether the judges of county courts were legally disqualified or not from sitting in that House, the Lord Chancellor was of opinion that their duties would be so onerous that he had never contemplated their having a seat in Parliament.

DESTITUTE PERSONS (IRELAND).

On the question that the Destitute Persons (Ireland) Bill be read a Second Time, Mr. G. A. HAMILTON said, he would take the opportunity of asking the right hon. Gentleman the Secretary for the Home Department the question of which he had given notice, namely, the amount received under the Queen's Letter in the different churches in the United Kingdom, for relief of distress in Ireland, and through whom that amount had been distributed?

Sir G. GREY said, that the total amount collected under the Queen's Letter for the relief of distress in Ireland and Scotland was 170,533*l.* 16*s.* 2*d.* This was exclusive of a Bill for 1,000*l.*, remitted by the Bishop of Calcutta, which would not become due until the 10th of September. The sum of 170,000*l.* had been paid over (as the Government had stated it was their intention to do) to the Committee of the British Association for relief of the distress, and had been by them applied to the objects for which it was collected. The sum of 209*l.* had been paid over to the Paymaster of Civil Services for expenses incurred by that officer, and there was a sum of 324*l.* now in the Bank. In addition to the sum of 170,000*l.* paid under the Queen's Letter, the Committee of the British Association had themselves received in subscriptions the sum of 254,754*l.*, making a total of 424,764*l.* This sum was exclusive of other channels, through which very liberal and munificent donations had been sent for the relief of Irish distress.

Bill read a second time.

Adjourned at half-past Four.

HOUSE OF LORDS,

Thursday, July 15, 1847.

Minutes.] Public Bills.—1^a Poor Removal Act Amendment (No. 2); Canal Companies; Destitute Persons (Ireland (No. 3); New Zealand (No. 2); Militia Pay; Copyright (Colonies); Public Works and Drainage (Ireland); Constabulary Force (Ireland); London Bridge Approaches Fund.

2^a Recovery of Public Monies (Ireland); Herring Fisheries (Scotland); Post Office; Navigation (No. 2); Mussel Fisheries (Scotland).

Reported.—Compensation for Damages (Ireland); Drainage of Lands (Ireland); Stock in Trade (Exemption); Joint Stock Companies; Polling at Elections (Ireland).

3^a and passed:—Poor Relief Supervision (Ireland); Poor Laws Administration; Ecclesiastical Jurisdiction Amendment; Railways (Ireland, No. 2); Fishery Piers and Harbours (Ireland); Turnpike Roads (South Wales); Canada Consolidated Revenue Fund; Print Works; Shannon Navigation (Ireland).

Petitions Presented. From Glasgow, for the passing of a General Harbour Conservancy Bill for all Ports, Harbours, &c. in the United Kingdom.—By Lord Brougham, from Stranraer, against the Mussel Fisheries (Scotland) Bill.—From Stockton-on-Tees, and Kingston-on-Hull, for the Enactment of Sanitary Measures.—By Earl Grey, from Free Inhabitants of the District of Dingog, that Transportation may not be removed from New South Wales on any Terms and Conditions whatever; and from Inhabitants of Port Philip, for the Prevention of the Indiscriminate Pledging of the Land Funds as a Security for a Joint Debt, and that the District of Port Philip may be Separated from the Government of the Colony of New South Wales.

POOR LAWS ADMINISTRATION BILL.

The Marquess of LANSDOWNE moved the Third Reading of the Poor Laws Administration Bill.

Lord BROUGHAM had serious objections to this Bill, and in order to record those objections he should take the sense of the House upon its third reading. He objected to the manner in which it was proposed to pay the chief officer, the President of the Poor Law Administration, who was to be entitled to hold a seat in the Commons' House of Parliament. After the Bill had passed the Commons, and had gone through a second reading in their Lordships' House, the salary had been fixed at 2,000*l.* per annum; but power was given in the same clause to the Lords Commissioners of the Treasury to alter that amount from time to time. Now this was not a decorous manner of providing for a public functionary, upon whom the most delicate and difficult duties would devolve. Again, he must remind the House that this measure would authorize the removing from office, without any sort of pension or compensation, two gentlemen who had not only since 1834 carried the New Poor Law into effect, but who had borne all the odium (which he admitted to have been considerable) of the working of that measure. He alluded to Mr. Chadwick and Mr. Nicholls. Those gentlemen had been subjected most undeservedly to public clamour, to gross and grievous misrepresentations—the dictionary had been ransacked for terms sufficiently opprobrious to be applied to them—they had been held up as cruel, unfeeling, hard-hearted, as grinders of the poor, as the tyrants of Somerset House, as dictators—in fact, every term of vituperation had been levelled at these two learned and meritorious individuals; though the only blame that attached to them was, that whilst others had been disposed to flinch from their duty, they had stood firm, and borne the brunt. If they had been supported, he (Lord Brougham) believed that 99 out of 100 of the complaints which had been made would never have been heard of. Mr. Chadwick had left his profession (the bar), and for sixteen years had filled the office of Secretary to the Poor Law Commission. What chance had he of obtaining practice after such an absence? Mr. Nicholls had relinquished employment producing from 2,000*l.* to 2,500*l.* per annum; and yet both of these gentlemen, after the most meritorious public service, were to be left entirely without employment and without compensation. Of his (Lord Brougham's) friend, Mr. Nicholl, whom however he only knew as a public man, he felt bound to speak openly. When the Act had passed in 1834, he (Lord Brougham) knowing how much of its provisions had proceeded from Mr. Nicholl, at once resolved to plant him at the Board of Commissioners if he would accept the place. He sent for him, and he prevailed with him to give up a lucrative, independent, and quiet place at Birmingham. He did so, holding Mr. Nicholls' services to be quite essential to the measure's success. Mr. Nicholls was thus stript of his whole income, and for doing his duty to the country. With regard to Mr. Chadwick, his services had not been confined to the duties of his office as Secretary to the Poor Law Board. His exertions on the subject of sanatory reform had led to the Health of Towns Bill; a measure which he (Lord Brougham) would have supported, even though the city of London was excluded from its operation; and which, if passed, would have furnished the means of continuing Mr. Chadwick in the public service. On all these grounds he should move as an Amendment that the Bill be read a third time that day six months.

The BISHOP of LONDON thought it his duty to bear testimony to the character and ability of Mr. Chadwick. He had not the least hesitation in saying that the principal praise of the administration of the Poor Law was due to that gentleman. He never knew any one possess, in such a degree as Mr. Chadwick did, the faculty of making himself master of a subject, both in its principle and its details. He felt convinced that, but for the assistance of a person like Mr. Chadwick, possessing the same knowledge of the working of the old Poor Law, it would have been impossible to carry out the new law with any chance of success; and that whatever offence he had given as Secretary of the Poor Law Board, had arisen entirely from an honest zeal in carrying out in its integrity the principle of that law. He hoped the Government would not lose sight of Mr. Chadwick's claims; for an act of great injustice would be done unless some provision were made for him.

The EARL of ELLENBOROUGH said, he should at least vote for the rejection of the clause touching the wholesale dismission of the officers. It appeared to him that this clause was framed for the purpose of getting quit of Mr. Chadwick by Act of Parliament rather than by the ordinary means of dismission by letter, which they were ashamed to have recourse to.

The MARQUESS of LANSDOWNE said: I shall only address a few observations to your Lordships in reply to those which have been made by my noble and learned Friend, and by the right rev. Prelate, whose observations are entitled to the highest deference, not only from his general high character, but also because of the useful, honourable, and laborious part he took in framing the original Poor Law Amendment Bill. So, also, with regard to my noble and learned Friend, who not only took an active share in the forming of the Act, but who, in fact, suggested the names of the parties that were afterwards employed. But my noble and learned Friend complains that these officers are now to be sent adrift. It must, however, be remembered that they at first accepted their situations upon the footing of the Bill being one of a temporary nature, which Parliament might or might not think fit to continue—that the measure was proposed as an experiment—and that they were liable at any time either to be dismissed altogether, or to become subject to an entirely new form of organization. But I am far from questioning the equitable claims of these officers to be employed in other departments of the public service; and with regard to those two distinguished individuals, to whom both my noble and learned Friend and the right rev. Prelate alluded—Mr. Nicholls and Mr. Chadwick—I am far from saying that their claims, either in regard to their services in the preliminary inquiry, or afterwards in carrying out the law, should not be attended to by the present or by any succeeding Government. They are not entitled to retiring pensions, for no such expectation was ever held out to them; but, on the other hand, though I will not defend the discretion of every act of one of these gentlemen—and I am glad to find my noble and learned Friend does not defend it—still I do not think that that diminishes his claim to other employment. The noble and learned Lord complains of the mode in which the salary of the Chief Commissioner in the present Bill has been dealt with, as if there had been some mode of concealment practised; but the mode adopted with respect to this matter is the same as has been adopted in every analogous case. My noble and learned Friend says it was not stated in the House of Commons what the salary was to be, and that the House of Commons did not inquire; but the House of Commons did not inquire for a very good reason, because they knew very well that not a shilling of their salaries could be paid till the vote for them was passed in the estimates; and this was always the case in regard to such Bills. In the late Poor Law Bill, which my noble and learned Friend had charge of in its passage through the House, the salaries were left out of the Bill till it went down to the House of Commons, and there they were brought forward first in the estimates. There has been no concealment with regard to these salaries; but they could not be officially fixed till they were determined by the vote of the House of Commons. I have no hesitation in saying, that if any error has been committed in these salaries—considering the duties imposed upon them—it has been in fixing them too low. That is my opinion. At the same time, I need not say that these salaries will at all times be under the control of Parliament, so that they may be either increased or diminished as circumstances may require.

LORD BROUGHAM said, with regard to the House of Commons not inquiring into the salaries, all he could say was, that they had shown little constitutional curiosity in not asking the question.

LORD REDESDALE objected to the improper position in which the new Commissioner was to be placed. There ought to be a new Secretary of State, with the care of the poor. If they expected to obtain a man that would discharge a disagreeable office in an inferior position, and with a small salary, he thought they were expecting what they would not get.

EARL GREY said, the salary of the Chief Commissioner was the same as was attached to the President of the Board of Trade.

On question that the word "now" stand part of the Motion, House divided:—Contents 33; Non-contents 10: Majority 23.

List of the CONTENTS.

DUKES.
St. Albans
Grafton
Buccleuch

MARQUESSES.
Clanricarde
Lansdowne
Westminster

EARLS.
Grey
Minto
Devon
Suffolk
Wicklow
Besborough
Auckland
Charlemont
Scarborough
Waldegrave
Fitzhardinge

VISCOUNT.
Falkland

BISHOP.
St. Asaph

LORDS.
Cottenham
Stafford
Beaumont
Montfort
Foley
Dunalley
Kinnaird
Wrottesley
Camoys
Strafford
Campbell
Monteagle
Churchill
Wharncliffe

List of the NOT-CONTENTS.

DUKES.
Buckingham
Cleveland

EARLS.
St. Germans
Stradbroke
Radnor
Rosse
Lovelace

VISCOUNT.
Combermere

LORDS.
Redesdale
Brougham

Bill read 3ª.

On the question that the Bill do pass,

LORD REDESDALE moved the omission of the words at the end of the 10th Clause—

> "And all Secretaries, Assistant Secretaries, Clerks, Messengers, and other Officers appointed and employed by the said Poor Law Commissioners in the Business of their Office, shall cease to hold their several Offices and Employments."

On question that the words proposed to be left out stand part of the Bill:—Resolved in the *affirmative.*

Bill passed.

House adjourned.

The following Protest was entered on the Journals of the House against the Poor Laws Administration Bill:—

DISSENTIENT—

1. Because this Bill tends to subject to party influences, partialities, and animosities, a branch of administration which, above all others, ought to be carefully kept free from them.

2. Because a Committee of the House of Commons having, after a long investigation, reported that "the proceedings of the Commissioners" appear, in certain particulars, to "have been irregular and arbitrary, not in accordance with the statute under which they exercise their functions, and such as to shake public confidence in their administration of the law," it seems more reasonable to suppose that any obloquy which may have attached to the law or the administration of it in other particulars, may have arisen rather from that administration and the fault of the administrators, than from the provisions of the law itself, or the constitution of the Commission.

3. Because the influence of public clamour and the fear of misrepresentation on the one hand, and the desire of popularity on the other (which I believe to have led in a great degree to these

irregular and arbitrary proceedings), are likely to act with greater force on a person necessarily connected with party, and constantly involved in political discussions, than on one carefully separated from both.

4. Because, when such misconduct has been proved, or even charged, it seems more natural, more consistent with justice, and, above all, more likely to lead to a better administration of the law in future, that a searching investigation should take place before an impartial tribunal (as has been heretofore done in the case of the maladministration of other public boards), than that this Bill should be adopted, which, by providing for the entire and immediate removal of all persons connected with the Commission, makes no discrimination between those who have honestly and faithfully fulfilled their duties, and acted in the true spirit of the law, and those who by negligence, ignorance, or folly have violated both the letter and intention of it; and because the removal of them all indiscriminately without proof of misconduct, or any compensation to those who have relinquished their professions, and devoted themselves wholly to the business of the Commission, is unjust to individuals, and is detrimental to the public interest, inasmuch as it discourages persons of talent from leaving their own pursuits in order to attend to the public service.

Radnor,
Lovelace.

HOUSE OF COMMONS,

Thursday, July 15, 1847.

Minutes.] **Public Bills.**—1° Ecclesiastical Jurisdiction Amendment; Borough Police Superannuation Fund.

Reported.—Commons Inclosure (No. 3).

3° and passed:—New Zealand (No. 2); Canal Companies; Militia Pay; Trustees Relief.

Petitions Presented. By Mr. M. Philips, from Manchester, against the Bishopric of Manchester, &c. Bill.—By Mr. Fox Maule, from Members of the General Assembly of the Free Church of Scotland, respecting Churches (Scotland).—By Mr. Hume, from Inhabitants of St. Paul's, Deptford, for Inquiry respecting the Deptford Charities; and from Shareholders in the Great Eastern and Western Railway, for Inquiry in relation to that Company.—By Mr. S. Wortley, from the Widow of the late Lieutenant-Colonel Munn, of the 27th Regiment of Madras Native Infantry, for Redress.—By Sir Howard Douglas, from Shipwrights of Liverpool, and Mr. Liddell, from Merchants and Shipowners of Bideford and Barnstaple, against the Repeal of the Navigation Laws.—By Mr. W. H. Bodkin, from Ratepayers of Leominster, in favour of the Poor Removal Act Amendment (No. 2) Bill.—By Mr. Hume, from Thomas Moore, of Broad-street, Golden-square, London, for Inquiry as to the Reasons assigned by British Seamen for Deserting in such large numbers from Her Majesty's Naval Service.

IMPROVEMENT OF LAND (IRELAND).

Mr. STAFFORD O'BRIEN asked the Chancellor of the Exchequer whether it was true that delays had taken place in the advance of the monies voted by Parliament to the drainage and improvement of land in Ireland, in consequence of want of the necessary funds?

The CHANCELLOR of the EXCHEQUER was not aware that any delays had taken place except in one respect, which seemed to have arisen out of some misapprehension on the part of the landed proprietors themselves. They wished to improve their estates; but he knew of many instances in which the proprietors had done nothing towards availing themselves of the aid offered to them, because they remained waiting until Government officers should be sent down to survey and suggest the nature of the improvements. Now, the Government would not do any such thing. There was no such intention in passing the Act of Parliament. But he was not aware that any difficulties had arisen from want of funds.

FIRE-ARMS IN CAVAN AND WESTMEATH.

Mr. FREWEN asked the Chief Secretary for Ireland whether he had heard of the custom lately adopted in parts of the counties of Cavan and Westmeath, by the peasantry, of assembling and practising with ball cartridge on Sundays and holidays? His informants, that such a practice was prevalent, were magistrates of the counties. He wished also to know, if the case were as he was informed, whether the Government intended to interfere by any Act to prevent the continuance of such a state of things?

Mr. LABOUCHERE had not received any official information of such practices existing. As to the second question, it was not the intention of Her Majesty's Government to introduce in the present Session of Parliament any measure to prevent them. He should, however, say that the magistrates who had conveyed the information to the hon. Gentleman, should have communicated it to the Government in Ireland. Had they done so, the facts would have been immediately inquired into.

THE DEAN OF MANCHESTER.

Mr. HORSMAN asked whether Mr. Bower, who had been made Dean of Manchester, was still to retain the living of St. Paul's, Covent Garden?

Lord JOHN RUSSELL regretted that he had only heard an hour previously of the intention of the hon. Gentleman to put the question. Had he received sufficiently early previous intimation, he should have been enable to give a direct answer. He would, however, state, that when he informed the Duke of Bedford that he had recommended Mr. Bower to Her Majesty as a fit and proper person to be raised to the dignity of Dean of Manchester, the Duke replied that he (Lord J. Russell) had certainly recommended a highly proper and very worthy person, but that he should miss the services of the reverend gentleman in Covent Garden so very much that he was desirous of knowing whether it was necessary for him at once to fill the vacancy by the appointment of a successor, or whether the rev. gentleman could hold the living a little longer so as to afford time to him (the Duke of Bedford) to find a suitable successor for him. He said that there was no immediate hurry about the filling up of so important a parish; and he did not think it necessary that Mr. Bower should leave it at once. He had subsequently seen Mr. Bower, and that gentleman had spoken to him about the difficulties his successor would have to contend with in St. Paul's, Covent Garden, giving him thereby plainly to understand that there was no intention of his holding the living much longer. He had heard no more about it since; but he had no doubt that Mr. Bower would give up his parish as soon as, or probably even before, the Duke of Bedford should have appointed his successor.

DELAYS OF SCOTCH MAILS.

On the Motion that the Order of the Day for going into Committee on the Consolidated Fund Bill be read,

Mr. T. DUNCOMBE asked the Chancellor of the Exchequer "what is the reason that the mails from the populous counties of Perth, Forfar, and Aberdeen are detained at the post-office of Inverness for sixteen or seventeen hours daily, when on their way to the inhabitants in the fishing stations on the sea coast of the large counties of Ross, Sutherland, and Caithness, where the people are very sparingly employed, and in great poverty and distress, but which the delays and bad management of the post-office tend to aggravate."

The CHANCELLOR of the EXCHEQUER explained, that under the old mail-coach system, the north and south mails used to meet the east and west at the appointed hours, to deliver the several mails at the regular stations. But under the mixed system of railway and mail coach, the time not coinciding, delays at some points were unavoidable. Those delays would by degrees be corrected; but it required some time to dovetail the system properly.

COMMERCIAL TREATY WITH THE NETHERLANDS.

Lord G. BENTINCK, seeing the noble Lord the Secretary for Foreign Affairs in his place, begged to direct his attention to an alleged infraction of the commercial Treaty of 1824 by the King of the Netherlands. In 1824, as the House was aware, a treaty was entered into with Holland, signed by Mr. Canning and the hon. Member for Montgomeryshire (Mr. W. W. Wynn), which stipulated that as regarded the trade of our East Indian possessions and the Eastern Archipelago, the trade of each country should, as regarded the other, be placed on the footing of the most favoured nations. Such being the treaty, it was alleged by a commercial firm in Manchester, for whose respectability he need only appeal to the hon. Baronet opposite, to the Member for South Lancashire, and the Vice-President of the Board of Trade—he meant the firm of Butterworth, Brooks, and Bevan—it was alleged by them, that a violation of the treaty had taken place, to the great injury of Manchester and the empire at large. It was stated that in August, 1846, a treaty was contracted between the King of the Belgians and the King of the Netherlands, affording advantages to Belgium which were not given to British subjects. By the Treaty of 1824 it was stipulated that no duties should be imposed on British goods or upon British shipping, or upon the goods either imported to or exported from the dominions of the King of the Netherlands, more than double the amount of the duties imposed upon the like goods imported or exported in Dutch vessels; but where no duty was imposed on the export or import of goods in Dutch vessels, then the highest duties to be imposed upon British merchandise, either imported or exported from the dominions of the King of the Netherlands, were not to exceed 6 per cent. Now, so far as regarded British subjects, the King of the Netherlands had exacted his bargain to the utmost letter; he had in all cases put a duty double the amount of the Dutch duty on British shipping and goods; but he had entered into a treaty with Belgium, in which he had lowered the duties to that country; and not only so, but he had, by a decree of the Governor General of Java, made the operation of the treaty retrospective, and allowed the subjects of Belgium to obtain a return of their duties back to the 25th of August last. The advantage thus given to Belgium was not, however, unlimited, but was restricted to 8,000 tons of merchandise annually. This arrangement affected more especially the article sugar; and it was felt by the merchants of this country to be particularly hard upon them that this favour should be conferred upon Belgium simultaneously with the remission of the duties last year on Java sugar. By this contract, sugar, if conveyed in Belgian ships to Belgium, was allowed to be exported free; whereas sugar, when exported in British ships, was subjected to a duty of 6 per cent. On other articles, such as coffee, rum, tobacco, and many others, the favour shown to Belgium was equally observable. Now, all this appeared to him a distinct contravention of the First Article of the Treaty of 1824. England was entitled by that treaty to export in British vessels all the articles of merchandise he had referred to on the same terms on which the Belgians were permitted to export to Belgium; and he held, besides, that British merchants were entitled to the retrospective advantages of the decree of the Governor General of Java, and to have returned to them all the duties they had paid over and above what had been paid by Belgians. The questions he had to ask of the noble Lord were, whether his attention had been called to this infraction of the Treaty of 1824? whether he had made any remonstrance to the Dutch Government on the subject? and whether it was his intention to adopt any measure to obtain redress for British subjects who had been injured?

Viscount PALMERSTON had to state that the matter referred to by the noble Lord had been for some time under the consideration of Her Majesty's Government, and was at the present moment the subject of communications with the Government of the Netherlands. He was, therefore, unable to state more than that the matter was at present the subject of such communications, and that Her Majesty's Government would continue to follow up the demand which they had thought it their duty to make. It had been rightly stated by the noble Lord, that by the Treaty of 1824 British subjects were entitled to be placed in the same position as the most favoured nations; and it was quite clear, that so long as the advantages granted to Belgium were not extended to British subjects, the stipulations of the treaty were not fulfilled; and that, therefore, there was a right on the part of the Government of Great Britain to ask of the Government of the Netherlands that those stipulations be adhered to. He must say, however, that the demand which had been made did not stand on the simple and original ground, because there was at the time the discussions were going on between the two Governments a counter-demand made by the Netherlands Government to be admitted to the same privileges in regard to shipping and navigation which were granted by treaty to Hanover and Mecklenburg. Those two subjects were now under negotiation; and he trusted that the amicable feeling which animated Her Majesty's Government, and which he was sure inspired also the Government of the Netherlands, would insure the settlement of the whole question on a secure and satisfactory footing.

DR. KALLEY.

Sir R. H. INGLIS said, he had given notice of a question relative to the treatment of British Protestants in the dominions of Spain and Portugal, and wished to know whether the noble Lord was prepared to lay on the Table the correspondence that had taken place between the Government of this country and that of Portugal with reference to the expulsion of Dr. Kalley from the island of Madeira? He hoped, also, that there would be no objection to produce such correspondence as had passed since Dr. Kalley's return.

Viscount PALMERSTON considered the subject to which his hon. Friend had called his attention, and that of the House, as no doubt one of great importance, not only as respected the interests and feelings of British subjects, but also as a subject of great delicacy in so far as regarded the amicable relations of Great Britain and other countries; because, though treaties existed to secure to British subjects in foreign countries the most perfect freedom of action in the exercise of their religious opinions, yet, when that freedom became involved with most laudable, most sincere, and, in the abstract, praiseworthy endeavours to propagate their own religious opinions, and to convert the subjects of other Governments to their own belief, the House would at once see that there did arise questions of a very different nature to that of merely giving British subjects freedom of conscience, and that matters might arise that involved also a just regard to the feelings and to the prejudices of the natives of other countries. If any persons doubted that this must be the case, let them suppose that a party of Spanish or Portuguese Jesuits came to this country, and openly began to attempt the conversion of British subjects to their tenets, did they not see that our national feelings would be so wounded by the proceeding, that the question would assume a very different aspect from that of a mere assertion on the part of Spanish or Portuguese subjects of the free exercise of their own religion? Now, the case which had just been referred to was a case of the kind he had just sketched out; but he had no hesitation in saying, that Dr. Kalley and other British subjects were ill used and unjustly treated, and that compensation was due to them from the Portuguese Government for the insults and outrages to which they had been subjected. Dr. Kalley was one of those persons thus injured. He was compelled, not by any act of the Government, but in consequence of the danger to which he was exposed by a popular tumult in Madeira, to leave that island. The tumult was excited, as his information led him to suppose, by priests of the island and a small number of the people, and was by no means the result of the general feeling of the town. But, be that as it might, Dr. Kalley was compelled, from a regard to his personal safety, to quit the island, when his house was taken possession of by the authorities, and his property held in deposit by them. In consequence of these circumstances a commission was appointed to examine into the matter, which resulted in the two persons highest in authority being dismissed for their conduct. A trial of the rioters was ordered; but an acquittal took place, in consequence, he believed, of the vicious composition of the jury, persons having been placed upon it who were interested in the persons upon trial. Her Majesty's Government, looking at these and other circumstances which had occurred, had called upon the Government at Lisbon to take measures for bringing to trial the principal parties concerned, especially one individual holding an office in Madeira. Dr. Kalley was in this position: A long correspondence was yet going on with him. He had made a demand of compensation for ill-usage; and he (Lord Palmerston) had called upon him to state the amount of his claim, and had not yet received an answer; so that, until he got this statement from Dr. Kalley, he could not say whether the demand was fit to be entertained; and it would be premature, therefore, to lay any of the papers before the House. If it should appear that there was any legal demand upon the Crown of Portugal—that there was any ground for claiming compensation to Dr. Kalley, and the demand was made and conceded by the Government of Madeira—as far as Dr. Kalley was concerned, there would be nothing which called for the opinion of Parliament. But if there should be a different result, the Government would then have to consider the question. As to Dr. Kalley's return to Madeira, nothing but his own apprehensions prevented it. He had put a question to him (Lord Palmerston) which it was difficult to answer. He had written to him to inquire whether he would be protected in all his rights? He would have all the protection which the British Government had a right to give him, and the Consular officer at Madeira was authorized to afford him; but if Dr. Kalley asked him whether, if he should go back, and pursue that system of conversion which the authorities at Madeira said was contrary to the law—if he asked him (Lord Palmerston), should he pursue that course, would this Government protect him against insult?—that was a question which it was totally impossible for the Government to answer. The utmost he could rely upon was, that he would have all the protection to which he was legally entitled, and all the redress which could be justly afforded to him. He hoped that his hon. Friend would be satisfied that his demand for the papers was premature; but he (Lord Palmerston) would be quite ready, if the transaction did not end in a satisfactory manner, to lay the papers before Parliament.

Sir R. H. INGLIS, under the circumstances, should not press for the production of the correspondence, relying upon the explanation given by the noble Lord.

THE TRUSTEES RELIEF BILL.

Upon the Order of the Day for the Third Reading of the Trustees Relief Bill,

Mr. STUART said, he had serious objections to this Bill, though he did not mean to divide the House upon the question. According to the present law, a legacy of money in trust for the benefit of an infant could not be summarily placed in the Court of Chancery; but by this Bill, a trustee of 500,000*l.*, if he thought the money might be laid out beneficially in land, could summarily put the whole trust fund in Chancery, and the trustee would be acquitted of all obligation to account. This might be done by a majority of the trustees against the wish of others, and of the *cestui que* trust, and the infant might be mulcted of his benefit through a depreciation of the property in which the fund had been invested. The attention of the House had not been sufficiently called to this part of the Bill. It was going a monstrous way to say that any part of any sum of money might, without the consent of the parties beneficially interested, be suddenly thrown into Chancery, to be got out again as it could. If the Bill had been brought in at an early period of the Session, it could have been more attentively considered; but he had discharged his duty in calling attention to what he considered an insurmountable objection to this Bill. His suggestion was, that the Bill should proceed no further this Session.

Bill read a third time and passed.

BISHOPRIC OF MANCHESTER.

Upon the question that the Speaker leave the chair, to go into Committee upon the Bishopric of Manchester, &c., Bill,

Mr. FREWEN said, this Bill, instead of being called the Bishopric of Manchester Bill, ought to be entitled, "A Bill to preserve the Bishopric of Bangor." If the Act for the union of the two sees of Bangor and St. Asaph were to be deviated from, and the two sees were not to be united, that principle should be carried out generally throughout the whole kingdom, or other small sees would not be treated in the same manner as North Wales. All he had contended for last year was, that the principle of the Act of 1836 must be carried out throughout the kingdom, or there must be more bishops and smaller dioceses. He thought there was much in the argument that bishops ought to make themselves acquainted with their own clergy, as the clergy should with all their parishioners; but in consequence of the great extent of many of the dioceses, it was quite out of the power of many of the bishops to do so. There was another point. The deviation from the measure of 1836 ought to suggest the consideration of what it might lead to hereafter. If Parliament was prepared to carry out a new arrangement for more bishops and smaller dioceses, good; if not, they ought to adhere to the Act of 1836. He thought the noble Lord had mentioned new bishops of Southwark, St. Albans, and Bodmin. This might create a difficulty as to the *congé d'élire.* In the case of St. Albans and Bodmin there could be no chapters existing; and as the new bishop could not, in either of these cases, be elected by the dean and chapter, the *congé d'élire* should be abolished altogether. At the time of the Reformation, and for a series of years, bishops had been appointed by the King, by his letters patent. Cranmer, Ridley, and Latimer had been so appointed. Upon the accession of Queen Mary, the *congé d'élire* was again established, and had existed nominally to the present day. In Ireland, there was nothing of the kind: the bishops were appointed by the Lord Lieutenant. There was another point. He considered that it ought to be in the power of the Crown, as the head of the Church, to deal with all ecclesiastical officers the same as with civil officers.

Mr. HUME wished to know from Her Majesty's Government whether they were really determined to press this very important measure through the House? because if they were determined to do it, he felt so strong an objection to its being pressed at the close of the Session, that he assured the noble Lord that there was no opposition consistent with the rules of the House which he was not prepared to offer to it. There was one reason which ought to weigh with the noble Lord. On the 27th of April, the first notice was given to the public respecting the probability of there being four new bishoprics created; and it happened to be his lot on that day to go —where he seldom went— to the Privy Council Office, and he met on his way two bishops chuckling and laughing; and he concluded that there had been some resolution come to extremely satisfactory to the bishops, and that that was the cause of their exultation. He had no doubt that on that day the resolution had been come to; and he had intended to ask the noble Lord immediately whether an Act of Parliament was not requisite. He had some doubt upon the subject; and to satisfy himself, he crossed the House and asked an hon. Member who was conversant with the subject, whether an Act of Parliament was necessary; and being told that it was, he felt that the House would have time to consider the subject. Before going into Committee, he wished to have a statement from Her Majesty's Government as to the nature of the applications which had been made to them for the creation of this new bishopric. Who were the applicants? Were they the people? From what places

—what parishes? Or did the complaint of the want of a new bishop come from the deans and archdeacons, and others who were likely to profit by the arrangement? When the arrangement was made in 1836, there was a solemn declaration by the bishops that no additional number of bishops was requisite. Between that period and 1847, something had occurred; and he wished the House to be informed from whom this urgent application came. Fond as the noble Lord might be of finality in matters of reform, he could not be accused of being the advocate of finality in reference to the number of bishops. By the Act of 6 and 7 William IV. chap. 77, it was fixed that the salaries of the bishops should not exceed in the aggregate 139,000*l.*; and it was determined that there should be no more bishops created, nor should any more money belonging to the Church be applied to support the bishops; but the surplus of the Church property was to be appropriated to the augmentation of poor livings, and for making a better provision for the clergy. The present measure was an infraction of the solemn compact entered into with the country at large by that Act. The abolition of ten Irish bishops met with general support: that was the act of Lord Stanley, who was a Member of the Government to which the noble Lord (Lord J. Russell) also belonged. He understood that when a proposition was made in the House of Lords to continue the bishopric of Kildare, the Lord President of the Council declared that he could not assent to it, because it was contrary to the compact which had been made with the public. Who, then, was it that now desired to infringe this agreement? No justifiable reason had been assigned for altering a great measure of national policy like that which was supposed to have been finally settled by the Act of 1836; no ground had been urged why those who supported that measure should now be called upon to stultify themselves by retracing the steps they had formerly taken. When property was originally conferred by Parliament on the Church for the religious instruction of the people, the state of the country was very different from what it was at present. At that period, there was only one religion legally existing in the country; and it would be found, by an Act passed in the 5th and 6th years of Edward VI. (1552), that every person "inhabitanting" within this realm, or any other of His Majesty's dominions, was required to resort to their parish church every Sunday in the year, and there to abide orderly and soberly during the performance of divine service, under the pain of being punished by the censure of the Church. But that was not all; for it was also enacted, that if any person wilfully heard or was present at any place of worship where any kind of service was performed other than what was set forth in the Book of Common Prayer, and should be convicted thereof either before a magistrate or a judge, and twelve jurymen, he should for the first offence suffer imprisonment for six months; for the second, twelve months; and for the third offence should suffer imprisonment for life. Such was the law at the time when the whole of this property belonged to one Church. Dissent was not tolerated; but the very act of attending a conventicle subjected the party to punishment. But what had since taken place? Dissenters were now allowed to attend their own several places of worship, and were in the enjoyment of perfect religious liberty. If, then, they were now to re-open this question respecting church property, ought they not to consider how far the allocating the whole of that property to one Church was consistent with justice? The Dissenters as a body throughout the United Kingdom constituted considerably above one-half of the population. The question, therefore, arose whether it would be useful or just to appropriate to one set of men entertaining one religious faith the whole of the funds which had been dedicated to religious purposes for the benefit of the people at large? He contended that while 139,000*l.* was amply sufficient to support the bishops, the necessities of the humbler clergy fully required all the surplus that would accrue from the Church property. In 1838, Mr. Childers obtained a return showing the state of the Church at that time. There were 2,268 pluralities. When he proposed to abolish pluralities and have a clergyman resident in every parish, as was the system in Scotland, he was opposed by a large portion of the House; and yet he considered himself a friend of the Church. It was not his wish to take any portion of its property from it. All that he sought to do was to distribute it more equitably among its clergy. What had been done in Scotland? There used to exist in that country livings of a very small amount. Parliament determined that every living should be at least equal to 150*l.* a year; there were some worth 350*l.* a year; and a very few enjoyed 500*l.* a year. This having been done in Scotland, it was natural to suppose that the Commissioners would recommend that the small livings in England should in like manner be augmented out of the large surplus of the Church property. How far this had been done the House would soon be informed; but he believed that it had not been done either in spirit or in letter. It was but the other day that a case which occurred in London was made the subject of comment and public animadversion. He alluded to the case of Archdeacon Hale, who was allowed to engross no less than five different livings yielding a revenue of 5,000*l.* a year; and this was suffered to take place at the very time when an arrangement was made that the surplus of the Church property should be appropriated to the improvement of small livings. By the return to which he had already referred, it appeared that a large proportion of the clergy were doing duty for less than 100*l.* a year; that in fact the average income of the 5,000 curates then acting in England was about 81*l.* a year. But the surplus money had been lavishly expended for the purpose of erecting superb palaces for the bishops. It was said that a bishop could not live in a less costly dwelling—that it was necessary that they should keep up their state and dignity; but to all this his answer was, that the people were not so ill-judging and so foolish as to be misled by such language. By building these splendid residences for men whose calling was not of this world, and whose whole demeanour should be marked by that spirit of humility which distinguished the true Christian, they were in reality doing great disservice to religion itself. He therefore protested against the abstraction of a single shilling of the money intended for the improvement of small livings for the purpose of building palaces for bishops. He had shown the inadequacy of the incomes of the curates. He would now refer to another point. By Lord Harrowby's Act every bishop is bound to lay before the Privy Council every year a statement of the number of livings, the number of resident clergy, and the number of absentees, and for what reason absent, in his diocese. Now it appeared that out of 10,500 livings there were 2,619 exempted from residing at their livings on various grounds; 2,147 were licensed to be absent, and there were others who were absent without leave; men opposite whose name the letter R should be written—run was the proper description of their cause of absence. Of these were no less than 1,313, and there were altogether upwards of 6,000 non-residents, 1,500 of whom were reputed to be doing duty in other places; leaving only 4,400 odd residents out of the 10,500 livings contained in these returns. Was it not proper that such a mockery as this should be remedied? It was a gross case of malversation of public property. No system could be worse for all the purposes of a religious establishment than this of absenteeism and non-residence. The presence of a good clergyman in his parish was indispensable to order, morality, and good conduct among his parishioners. He had never undervalued the services of the clergy. They were a most useful class of men; and it was because he wished to see them maintained in a manner consistent with their station that he regretted this apparent infraction, brought about by a few of their own body, of the compact of 1836 which was intended as well for their own interest as for that of the people. When on a former occasion he divided the House on this measure, 16 voted with him, and 124 voted against him and for the Bill. Out of the 124 who supported the measure, 22 belonged to the Administration, and 86 were Tories, who on almost all other occasions voted against the noble Lord. No doubt hon. Gentlemen on the Opposition benches always gave the noble Lord their support when the noble Lord's measures were likely to be useful to themselves. They always supported everything that was favourable to the aristocracy. But whenever the noble Lord brought forward any measure that was popular, or that had a tendency to improve the condition of a large majority of the people, then those occasional coadjutors of the noble Lord were extremely unwilling to give him their support. In the whole of the majority only eight really independent Members supported the Bill. With respect to Wales, it was well known that the Dissenters there outnumbered the members of the Church; on no pretence, therefore, could there be any claim urged on behalf of the people of Wales that could justify the breach of compact which this measure effected. He hoped the House would not agree to the appointment of a new bishop, because it would be the commencement of a system for increasing the hierarchy, against which there were many very grave objections. Unless the House discountenanced this attempt in the very beginning, the country would soon be overrun with bishops; there would be one appointed for every petty town, and there would not be a colony without its bishop. Under these circumstances he should take a division on every stage, and would do all in his power to oppose the Bill, and he should therefore move that the House go into Committee that day three months.

MR. MARK PHILIPS, in rising to second the Amendment of his hon. Friend, had to express his regret at not having been in his place on Tuesday last, when the Bill was read a second time. But the fact was, that he had no idea that it would have been proceeded with on that day. He thought that unnecessary haste was shown in pressing the Bill forward; and considering that it had not been printed until the 6th instant, he felt he was justified in complaining that no time had been given to the country, and more especially the constituency that was more particularly interested in it, to consider its provisions. The question had been asked, when was the opposition shown to the Bill? but he thought he might also ask the noble Lord whence had he derived the encouragement to bring it forward. With reference to the part of the country to which it would more immediately apply, he certainly had not heard of a single petition having been presented in its favour; whilst, on the contrary, he could state of his own knowledge that a feeling pervaded many persons of every class of society in Manchester of the inutility of the measure. He should be sorry to misrepresent the feelings of any party or class; but he could say there was a very large portion of that constituency entertaining a strong opinion against the manner in which the funds of the Church were appropriated; and this feeling was not confined to those with whom he generally associated, but was extended to the party of hon. Gentlemen opposite. A petition from an association formed for promoting ecclesiastical reform and improvement in Manchester, had been presented by his hon. Colleague, and he would beg to read one extract from it. The petitioners stated—

> "That the said Bill not only provides for establishing the bishopric of Manchester, but also contains enactments to remove doubts as to the revenues of certain deaneries in England, unconnected with the district over which the diocese of Manchester is to extend. That the appropriation of the parochial revenues of Manchester to chapter instead of parochial purposes, as sanctioned by the Act 3 and and 4 Victoria, cap. 113, has given great dissatisfaction in the parish. That the spiritual destitution of Manchester requires all the funds that properly belong to the parish to be applied to meet the wants of this increasing population, those funds having hitherto been found quite inadequate for this purpose."

A circular, which, no doubt, many hon. Gentleman had seen, was sent round with a printed copy of that petition, and he would beg to read it to the House. It was as follows:—

> "Sir—I have been requested to call your attention to the annexed copy of a petition about to be presented to the House of Commons, and to solicit your support on its presentation, The parish of Manchester contains about thirty townships and more than 400,000 inhabitants. Of these thirty townships, seven are without a church or clergyman. The collegiate church, with the exception of one recently built under Sir Robert Peel's Act, is the only parish church, and possesses all the original endowments of the parish, amounting to about 6,000*l.* per annum. There are eight clergymen connected with this church, five of whom receive nearly the whole of the revenues, and who do not admit that they have the cure of souls in the parish. The other three clergymen are almost entirely paid from fees and pew rents, amounting, in 1835, to 1,300*l.* per annum, but now much greater by increase of population. A large portion of the fees are received from district churches, the clergy of which are thereby obliged either to charge double fees, or to forego all emolument from this source. In 1835 there were twenty-five incumbents in the parish, having what are termed 'district churches,' the average income of whom did not exceed 190*l.* per annum from all sources. The smallest was 72*l.*, and the largest 441*l.* At the present time there are forty-nine district churches in the parish, hardly one of which is adequately endowed, and very few to a greater amount than from 30*l.* to 50*l.* per annum; and, with one or two exceptions, without any place of residence for the incumbents. The incumbents chiefly depend for support on the pew rents and fees, which, in the poorer districts of the parish, afford a very precarious and insufficient maintenance. Private beneficence has been largely exerted, during the last few years, to supply the want of churches and clergymen; but it is to be feared that this will not be effected unless aid can be secured from the parochial revenues. In proof of this, one of the associations established for the building and endowing of churches within the parish has already entirely suspended its operations; and the other, established for the same purpose, is likely to do so immediately. It is now generally believed that under a better system of management and distribution, the revenues of the Church in the parish of Manchester are sufficient to provide for the augmentation of the stipends of the incumbents of the existing churches, as well as for the endowment of those townships and districts which are at present without any pastoral superintendence.—I have the honour to be, Sir, your obedient servant,
>
> "RICHARD BIRLEY, Chairman.
>
> "Manchester, July 6."

He thought there was here a statement

sufficiently strong to show that the funds, if any, in the hands of the Ecclesiastical Commissioners might easily be applied to equally valuable purposes as that contemplated by the Bill before the House. He trusted that the Bill would not be pressed forward at that period of the Session, but that the Government would consent to withdraw it. A strong feeling had been exhibited in the Principality against losing one of their bishops; but it was no reason because the former arrangement was unpalatable to the people of Wales, that, therefore, the House should adopt a plan which was equally unpalatable to the people of Manchester. He felt the delicacy of his position, as a Dissenter, in opposing a measure connected with the Establishment; but he felt that his hand was strengthened by the moral weight of the document which he had just read, and by the petition which accompanied it, and which had received the concurrence of the warmest friends of the Church. He felt that the Bill was one which had called forth the most unmeasured hostility from all classes. He regretted that the moral cultivation and improvement of the people was not attempted through other and better sources; for he did not believe that in crowded manufacturing districts the moral improvement of the people was likely to be advanced by the introduction of a bishop among them. He believed that inferences unfavourable to the moral discipline and religious amelioration of the people would be drawn by those who earned their bread by their daily labour, and who were exposed to all the vicissitudes of life which belonged to an operative's existence in a large manufacturing district like Manchester, from seeing a wealthy bishop driving through their streets while they were themselves in a state bordering on starvation. He did not think that the moral destitution which existed would be removed, or that the difficulties which were admitted to exist would be got rid of, by the appointment of a bishop. His feelings as a Dissenter might impel him to take stronger views of this matter than others; but he felt that he had on the present occasion a great trust to discharge towards those who had sent him to that House; and if his last act in connexion with the constituency of Manchester were the averting of the infliction of a bishop upon them, he should retire with a feeling that he had not been wholly unserviceable to them. He would ask the Government not to proceed farther with the present Bill; and he could tell the noble Lord that he did not know any parties who were more active in canvassing against Liberal interests than those who were applying for this measure. The noble Lord might depend upon it, that as soon as that concession was yielded, another would be asked. Indeed, they were told that three other new bishoprics were in contemplation already. It was said, that the new Bishop of Manchester would not have a seat in the other House of Parliament; but they might rest assured, that before long they would find him, if the bishopric were once created, occupying a seat among the other Prelates in the House of Lords. He felt it to be his duty to join his hon. Friend the Member for Montrose in his opposition to the Bill, and he would support him in offering every opposition in his power to prevent its passing this Session.

Lord JOHN RUSSELL: Mr. Speaker, I cannot complain, certainly, of the opposition that has been raised to this Bill; but considering that it was carried on the second reading by a division of 124 to 15, I do not think the hon. Member for Montrose can wonder if I should decline acceding to his suggestion, and should propose proceeding with a measure which has met with so general a concurrence, more especially when I consider that the whole speech of the hon. Member who moved the Amendment, and likewise the speech of the hon. Member who seconded it, have proceeded on the apprehension that a compact existed on this matter. As I explained the other day, there is no compact whatever existing, or that I ever heard of, by which the bishops were to be kept up to a certain number, or by which 139,000*l.* was to be allotted for their maintenance. Indeed, I believe that, as far as this Bill is concerned, there is no sum mentioned in it, and that the statement is entirely a supposition of the hon. Member. But if there is any such compact, if there really does exist a compact on the matter, it is a compact according to which the bishopric of Manchester is to be founded. My hon. Friend the Member for Manchester (Mr. M. Philips) has spoken as if this was altogether a new proposition; and as if his object was to oppose a proposition put forward for the first time for the creation of a bishopric of Manchester; whereas the fact is, that ten years ago it was arranged that there should be a bishopric of Manchester created, and if Parliament should refuse its consent to unite the two dioceses of Bangor and St. Asaph, that bishopric would be created. Our proposition would certainly not be carried out, but the Bishop of Manchester would be appointed; and yet my hon. Friend now seems to suppose that the matter has been brought forward for the first time. As to this Bill being hurried through Parliament, I will entreat the House to recollect that there was laid on the Table of this House, on the 12th of February, a Commission from Her Majesty, in which it is stated that Her Majesty had appointed certain persons for the very purpose of regulating the separation of these two bishoprics, and the creation of a bishopric at Manchester. So that at least from the 12th of February to this time it must have been perfectly notorious that a new bishop is to be created for Manchester. As to my hon. Friend's statement that the parochial state of Manchester is not satisfactory, I think that is a subject which, as well as many others that have been introduced into this debate, does not properly belong to the question. If we were proposing to take away anything from the parochial funds of Manchester, and by that means to maintain a bishop for Manchester, then I admit the argument would apply. But what are the facts? Why, that the support of the new bishop is to be taken from the revenues of the dioceses of Durham and Ely, and other bishoprics whose revenues have been reduced by Act of Parliament; and I can see no imaginable reason, if they are not to be applied in the manner proposed for creating a bishopric of Manchester, why they should be applied for the parochial duties of Manchester, or to those of any other part of the country. In fact, they would be much more naturally applied to the parochial purposes of Durham or of Ely, and their neighbourhoods, than to any part of the town or neigbourhood of Manchester. Now, my hon. Friend, who made a most temperate speech, with no sort of an attack on the Church, admitted that as a Dissenter he was not properly qualified to judge of Church questions. But it seems to me that it ought to be allowed that the bishops form a part of the government of the Church of England—that the government of the Church of England is not complete without the bishops—and it is no more an argument that you ought to have no more bishops because there are parochial clergy in want of increased funds, than it would be to tell us that we ought to make no more generals by brevet, but that we ought to apply any part of the public money that we have to spare for that purpose to increasing the pay of the private soldier. Bishops are necessary for the government of the Church of England; and if we find that there are not enough to perform all the duties required of them, how are we to act? The bishopric of Chester, for instance, is too large altogether for the care of one bishop; and if that be admitted, it forms a sufficient argument for dividing the diocese, and having another bishop appointed. That appears to me to be the plain and simple argument to use on the question. I entered the other day at some length into the nature of this measure, and I shall not now, therefore, unnecessarily trespass upon the House. Every church and community have their own government. The Presbyterians, for instance, have their own church government; and the other persuasions have also whatever government they think necessary for their purposes; and in the same manner what we think necessary for the proper government of the Church of England we propose in this Bill. We do not ask to take away the revenues from any other party; and the only question is whether we ought to apply part of the funds that exist for church uses to the object which we contemplate. I shall not touch on the question urged by my hon. Friend, whether the whole of the funds of the Episcopal Church should be appropriated to such purposes, or whether a part of them should not be applied to parochial purposes. It is not a question of principle, but a question to be decided by amount of revenue. Having said these few words, whilst I cannot dispute the right of the hon. Member for Manchester to oppose this Bill, I hope the opinion of the House is not at all shaken by what he has said.

SIR JAMES GRAHAM: Although, Sir, I agree that upon ordinary occasions this is not the place where it becomes any Member of the House to make a profession of religious faith, still this is a peculiar question, in which the interests of the Established Church are deeply concerned. The hon. Member for Manchester, with perfect candour—and I believe the sentiments he has uttered were duly appreciated by the House—has stated that he is a dissenter from the Established Church; and I believe the hon. Member voted in favour of a proposition for the expulsion of bishops from the House of Lords. His opinions, therefore, are to be received with some degree of caution and reserve. If I may be permitted, before I proceed to address the House upon the subject of this Bill, I would observe that I am a sincere and faithful member of the Established Church; but I will make no extravagant professions, for I am one of those who believe it is not those who are loudest in their declarations of zeal and of attachment, that in times of difficulty are found the surest or the firmest friends. Having made these few prefatory remarks, I wish to observe that I had the advantage of being in the House on Tuesday last, when the hon. Member for Cockermouth (Mr. Horsman) moved his Amendment on the Motion for the second reading of this Bill. I could not support that Amendment, because the hon. Member rested his opposition mainly upon the question of time. I differ altogether from the hon. Gentleman. I think there has been no surprise in this case; and I agree with the noble Lord (Lord J. Russell) there is no compact which is or ought to be an impediment to the Parliamentary consideration of this matter. I think the subject is ripe for decision. I think there is injury likely to arise from delay, and therefore I could not, on any terms, support the Amendment of the hon. Member for Cockermouth. Neither could I reconcile it to my sense of duty to oppose the second reading of the Bill; for I think that, viewing the present circumstances of this case, it is desirable to go into Committee upon the Bill. At all events I am prepared to go into Committee for the purpose of proposing or of supporting certain amendments, the fate of which will very much decide what will be my course with respect to the votes I may give on the future stages of the Bill. There are, Sir, a few points of primary importance which it is right the House should consider before we enter upon the discussion of the details of this Bill. I have the strongest possible opinion that the present amount of the property of the Church, whether episcopal, capitular, or parochial, forms the whole funds on which, for church purposes, future reliance can be placed for the spiritual instruction of the people of this country in connexion with the Established Church. When I consider the unhappy divisions which have spread throughout the vast population of the United Kingdom upon the subject of religion, and when I consider also the weight which popular influence has upon the representation in this branch of the Legislature, I hold it to be perfectly visionary to imagine that any deficiency in the funds of the Established Church can hereafter be supplied by aid from taxes levied on the whole population. I therefore, as a member of the Established Church, think that we now have to deal most cautiously with the distribution of the property of the Church, a property limited in amount, and that being so limited, all we can now, or those who come hereafter, can calculate on effecting, is so to guard and to distribute it, that it may secure the greatest possible advantage for the benefit and instruction of the people in connexion with the Established Church. If I am right in this view of the subject, the question then becomes one of immense importance. I think, indeed, it was well put on Tuesday by the hon. Gentleman the Member for South Lancashire (Mr. Entwisle), when he said the question which the House really had to decide, with regard to the interests of the Established Church, was this—whether, upon the whole, it was most for the interests of that Church that the fund, limited in amount, raised from the surplus funds of bishops, and of chapters, should be applied to the endowment of a few bishoprics; or whether it should be applied to meet the wants of the population at large, in the shape of the augmentation of small livings, or in the endowment of district churches recently built. These district churches are principally dependent upon pew-rents—a very imperfect mode of endowment, and one inconsistent with the interests of the people at large, which, as it appears to me, are bound up with the increase of the number of free sittings for the use of the poor. I think the hon. Gentleman said that such was the question which we had now to decide. I agree with him in the view he takes; and I must say, if that be the question, I have the greatest doubts whether it be for the interest of the Established Church and of its members that at the present time, and under present circumstances, we should proceed, not only to endow one additional bishopric, but, as I shall show before I sit down, whether we should commit ourselves, as it appears to me this Bill would commit us, to the future endowment of three additional bishoprics. I very much fear that if the Episcopal fund be hereafter maintained as distinct from the Common fund at the disposal of the Ecclesiastical Commissioners, the interest of the Established

Church will be found to have suffered. Already we have heard a suggestion from one Gentleman for the appointment of sixty suffragan bishops; and the hon. Gentleman the Member for Montrose (Mr. Hume) rightly said, that the endowment of additional bishops in England would lead to the endowment not only of suffragan bishops, but of colonial bishops also. Now, Sir, if the Episcopal fund is to be maintained for purposes of this kind—for demands of the kind now about to be admitted—others entertaining speculations as to the appointment of suffragan bishops, and the endowment of colonial bishoprics, may claim assistance from this source; and I entertain the greatest doubts whether it be not right at once to take our stand, and say that the number of bishops shall not be increased, and that the distinction to which I shall immediately refer, between the Episcopal and the Common fund at the disposal of the Ecclesiastical Commissioners, shall, with the least possible delay, be obliterated and extinguished. With regard to the distinction between the Episcopal fund (as it is termed) and the Common fund, I must state that until I became a member of the Ecclesiastical Commission—it may be that I ought to take shame to myself for having overlooked the distinction, which is found upon the Statute-book—I was not aware of its existence as recognised by law. When I state how nice is the distinction upon which the separation of these two funds rests, the House will not be surprised, I think, that I had overlooked it. In the year 1836, the first Ecclesiastical Commission was appointed. In that year, upon the report of the first Commissioners, to which I shall presently advert, an Act of Parliament was introduced, dealing with the episcopal revenues, and carrying into effect the report of those first Commissioners. That Act remained in force until 1840. In the year 1840, founded upon the second report of the Ecclesiastical Commissioners, an Act of Parliament was passed which dealt with the property of chapters, and created a fund avowedly for the purpose of augmenting the endowments of smaller livings. That Act—the 3rd and 4th Victoria, c. 113—contained in the 19th section these words: "The former Act and this Act shall be construed as if they were one and the same Act." In the opinion of lawyers, the effect of these words was to fuse the Episcopal fund and the Common fund then created into one mass, available for the same uses; and from 1840 to 1841 the distinction between the Episcopal fund and the Common fund did not exist. In fact, it was obliterated altogether by the words to which I have called attention. In 1841, however, an Act was passed to amend the Act of 1840; and at the end of one clause—section 30—it repealed the provision contained in the words I have already read to the House, which were the important words, "That this Act and the preceding Act shall be construed as one and the same Act." No notice being taken of the effect of the words in the former Act, from the attention of the House not having been called to them, these important words in the Act of 1840 were repealed by the Act of 1841; the complete fusion of the two funds was thus destroyed, and the separation of the two funds was then for the first time created by statute. Certainly I do not mean to deny that in subsequent Acts of Parliament the distinction between the two funds was recognised; but the statutable creation of the distinction rests upon the words to which I have called attention. After what I have said, the House may well believe that I consent to go into Committee on this Bill with much hesitation and reluctance. In the Government of which I had the honour of forming a part, the question of a departure from the first report of 1836, and the departure (I will not use a stronger term) from the understanding that the bishoprics of St. Asaph and Bangor should be united, and the bishopric of Manchester, when created, should be contingent on the union of those two sees, was often discussed. It was no secret that those who were then Her Majesty's advisers, up to the close of Sir Robert Peel's Administration, did not think it expedient to advise Her Majesty to depart from that arrangement. It is said, that the advice given in the report of 1836, on which this arrangement is founded, was given only by a small portion of the Bench of Bishops. Why, Sir, it was given by the two Archbishops, Canterbury and York, by the present Bishop of London, and by the Bishops of Lincoln and Gloucester. But were there no other persons entitled to respect and attention who joined in that recommendation? The noble Lord the Member for Liverpool (Lord Sandon) observed on Tuesday, it was right that the sort of magical number of twenty-four bishops and two archbishops should be broken down, and that this House should accustom itself to the consideration of an increased number. I speak, Sir, with the most unfeigned and heartfelt respect of the noble individual to whom I am about to allude—I mean the revered father of the noble Lord. I know not a more firm or a more sincere friend of the Church than the Earl of Harrowby. I know not a more judicious church reformer than that noble Earl in his day and generation. I think he has done more for the real advantage and permanent welfare of the Church of England, if properly considered by its friends, than any other person. The Earl of Harrowby, in the year 1836, signed that report. Dr. Herbert Jenner, the Dean of Faculty, a person possessing in the most eminent degree the confidence of the Archbishop of Canterbury, signed that report. Then, if you look at the servants of the Crown, you will find Lord Cottenham, the present Lord Chancellor, Lord Lansdowne, now Lord President of Her Majesty's Council, they signed that report; Lord Melbourne, then the responsible First Minister of the Crown, the head of the Church, also signed it. And not second to any one from station, from character, from ability, or, as I believe, from a sincere desire to promote the spiritual welfare of the great body of the people—Churchmen as well as Dissenters—I mean the noble Lord opposite (Lord J. Russell), he also signed this report. I will not trouble the House by reading the recommendations of this report, because the hon. Member for Montrose read them upon a former occasion. The Commissioners, however, distinctly recommended that no addition should be made to the number of bishops. They distinctly recommended that the want of a bishop even in Manchester should remain unsatisfied until the number of bishops was reduced by two unions of sees which they recommended—the union of the sees of Gloucester and Bristol, and the union of the dioceses of St. Asaph and Bangor. Has that report been unproductive? Has it remained a dead letter? On the contrary, most important measures have been taken resting upon it. Has there been no example of the union of two bishoprics? On the contrary, that most important portion of the report which recommended the union of the two sees of Gloucester and Bristol has been carried into execution, and the bishopric of Ripon has been created. And has the Church sustained any disadvantage from that union? I believe I am also right in saying that of twenty-four bishoprics and two archbishoprics, all, with the exception of three, Winchester, Chichester, and Exeter, have had their limits altered from time to time, in conformity with the recommendations of this Commission. But, Sir, the noble Lord has truly said there was no compact entered into at that time. I am not prepared to state, in reference to a matter of such paramount importance, that any recommendation, however sanctioned by the very highest authority, should be held binding in future times, when the circumstances which led to the recommendation are materially altered; but allow me to say, it is contended that the bishops in their respective dioceses have now more labour to perform than men of diligence and activity can duly execute. That leads me to consider what are the duties of a bishop. What are his labours? First, there is the ordination of priests. There are, I think, three or four ember weeks in the year; and the duty of ordaining priests is limited to one or other of these ember weeks. Next is the duty of visitation and confirmation. Practically, until very lately, the bishops in their respective dioceses have only visited once in three years. The visitations have been generally triennial only, and in many dioceses I believe this is still the rule. I am of opinion that triennial visitation is not sufficiently frequent; I would substitute annual visitation; and, when we consider the means of rapid communication now existing, I cannot think the duty of ordination, and of one visitation throughout the diocese in a year, can be overwhelming labour. Then there is the most important duty of all, namely, the control of the clergy, and intercourse with the parochial ministers. I am about to express an opinion, which I dare say will not be shared by very many members of the Church, whose opinions upon other matters I very highly value. I am not one of those who think that what is called "daily intercourse between a bishop and the clergy of his diocese," is very desirable. I hold it is of vast importance that the authority of the bishop should be maintained as an appellate authority, and that to exercise due discipline over the clergy, is a part of his highest duty. Now, my belief is, that that authority is best maintained (speaking generally) by communication in writing, rather than by intercourse approaching to anything like familiarity from its frequency. I cannot believe that a bishop residing in the centre of his diocese, having the means of easy access to all his clergy, generally exercising his appellate power through the medium of correspondence, could fail in the exercise of his duty, or be unable to discharge it in the most satisfactory manner. I believe I have not omitted to name any other duty of a bishop, except perhaps his duty of attending in his place in the other House during the sitting of Parliament; and, taking the whole into view, I am confirmed and strengthened in my opinion that the labour of a bishop is not of an overwhelming character. I believe I have omitted nothing that he has to perform. [Mr. E. DENISON: The consecration of churches.] I am reminded that I have omitted to mention the duty of consecrating churches. There is, then, in addition the consecration of churches, which is a duty incumbent on a bishop. I believe that bishop is most fortunate in whose diocese there are three or four churches to be consecrated in the course of a year; but, adding this duty, am I wrong in the estimate I have given of the functions and labours of the episcopate? I have known those duties discharged, and discharged in the most exemplary manner, by bishops above the age of 80; and I have known within my own experience the duties of two most important sees, Salisbury and Bath and Wells, most satisfactorily and ably discharged by one prelate, the brother of the hon. Gentleman the Member for Malton (Mr. E. Denison). That prelate had sufficient time, without making use of any very great exertion, to discharge the duties not only of his own diocese of Salisbury, but those of the diocese of Bath and Wells, the bishop of which was incapacitated by old age from active service. In passing, I would make another observation on this subject. I can conceive over activity and over zeal on the part of bishops; and I am of opinion, with reference to the interests of the Church, it is quite possible there may be sound discretion, tempered by age, quite as efficient as great activity, great talent, and great zeal, where that important requisite unfortunately happens to be wanting. It is impossible for me to say, considering the number of bishops and archbishops, and the duties to be performed, that the number of bishops is too small. The natural consequence of the formation of this opinion would be that I ought to adhere pertinaciously to it, and resist the further progress of this Bill. I am free to confess, however, that I am not prepared to take that course, and I will tell the House why I am not. I differ from the hon. Member for Manchester. I think the circumstances of Manchester are peculiar; and I agree with the noble Lord opposite (Lord J. Russell), that so far from there being a compact that the diocese of Manchester should not be established and taken out of the diocese of Chester, there was an agreement and understanding the other way. I had hoped, when the see of St. Asaph became vacant, that the Bishop of Bangor might have consented to perform the duties of the two sees of Bangor and St. Asaph, for his labours would even then have been much lighter than those of the Bishop of Exeter, or the bishops of any of the larger dioceses. The option, howevever, rested with the Bishop of Bangor. He declined to undertake the additional duty, and thus refused his consent to the union of the two sees. And now the erection of the diocese of Manchester is proposed to us by the Minister of the Crown independent of the consolidation of those two sees, which, on the whole, I thought was expedient. Moreover, twice in the other House — once when the Government of the day were adverse to the proposition, and again in the present Session, when the Government of the day no longer resist the proposition—the Motion was carried that the maintenance of the two sees of Bangor and St. Asaph was desirable; and we have now the authority of a very large majority of the House of Lords concurring in a recommendation that the see of Manchester should be immediately erected under the Bill now before us. I cannot conceal from myself, too, that the responsible advisers of the Head of the Church have concurred in the recommendation of the Commission that the see of Manchester should be erected. It does so happen that from the division of the Episcopal and Common funds to which I have before adverted, there is from the Episcopal fund an available surplus exactly equivalent to the necessary endowment of the see of Manchester. In passing I will advert to what has fallen from the noble Lord with respect to the Episcopal fund. Somewhat hastily he has laid down a position with reference to the whole proceedings of the Ecclesiastical Commissioners, which I hold to be most dangerous. The noble Lord appears to think there would be great harshness in transferring the proceeds of the surplus revenues of the bishopric of Durham, for instance, to any other purpose than the endowment of a bishopric. That argument, pushed to its legitimate extent, is quite fatal to the whole basis upon which the Ecclesiastical Commission rests. The principle is the transfer of surplus ecclesiastical funds from one locality to another to meet the spiritual wants of the people; and there is no more reason why a poor curate in Manchester or Birmingham should not receive an augmentation of income from the Episcopal fund, than that the surplus revenues of the golden prebends of Durham should be applied to parochial purposes in Devonshire or in Cornwall. That is the principle of the ecclesiastical fund generally; and I, for one, am not prepared prospectively to maintain the separation of the Episcopal and the Common fund. I have no hesitation in saying that if I consent upon the present occasion to go into Committee for the purpose of establishing the bishopric of Manchester, endowed from surplus episcopal funds, I make this arrangement once for all. So far as I am concerned I should at once advocate obliterating all distinctions between the Episcopal and the Common fund; and I would strongly resist any pledge, direct or indirect, that the number of bishoprics should be increased beyond the bishopric of Manchester. I, for one, desire to see the whole fund applied in the best manner to the common uses of the Church; and with that view, if we go into Committee, it is my intention to propose, though the Motion may be somewhat unusual, that those words containing a recognition of an intention declared by Her Majesty in favour of the endowment of three additional bishoprics should be struck out of the Bill; and I shall be prepared to move that the second clause be struck out. This brings me to a most important branch of the subject. I have said that a change of purpose with regard to the foundation of new bishoprics would be justified if a change of circumstances had arisen: now, let me call attention to the circumstances detailed in the first report, which contains a recommendation that no addition be made to the number of bishoprics, and the reasons assigned by that Commission for this recommendation, detailing circumstances which still exist in full force. Upon the authority of the persons I have already named, all friends of the Church — Lord Cottenham, the Marquess of Lansdowne, Lord Melbourne, and Lord John Russell—are set forth at large in this important report the reasons why they recommend that on account of spiritual destitution prevailing among the great body of the people, all the available resources of the Church should be applied to "parochial purposes," and not to the endowment of additional bishoprics. I hope the House will favour me with their patience whilst I read this portion of the report. It is a report to which I attach the greatest possible importance, because all the circumstances herein set forth with so much perspicuity and strength exist unaltered up to this very time. It says—

> "The most prominent of those defects which cripple the energies of the Established Church and circumscribe its usefulness is the want of churches and ministers in the large towns and populous districts of the kingdom. The growth of the population has been so rapid as to outrun the means possessed by the establishment of meeting its spiritual wants; and the result has been that a vast proportion of the people are left destitute of the opportunities of public worship and Christian instruction, even when every allowance is made for the exertions of those religious bodies which are not in connexion with the Established Church."

I shall not weary the House with the details into which the report then enters; but I will read a summary taken with respect to four dioceses. It commences with the metropolis:—

> "The entire population of 34 parishes in London and its suburbs, amounts to 1,137,000, while there is church room only for 101,682. Allowing one church for a population of 3,000, there would be required in those parishes 379 churches: there are only 69; or if proprietary chapels be added, about 100—leaving a deficiency of 279; and there are only 139 clergymen in a population exceeding 1,000,000. In the diocese of Chester there are 38 parishes or districts, each with a population exceeding 20,000, containing an aggregate of 816,000 souls, with church room for 98,000. In the diocese of York there are 20 parishes, each with a population exceeding 10,000, with an aggregate of 402,000, while the church accommodation is for 48,000. In the diocese of Lichfield and county there are 16 parishes or districts, each having a population above 10,000, with an aggregate of 235,000, with church room for about 29,000."

The tabular summary of these four dioceses is thus set forth:—

Parishes or Districts.		Population.	Church Room.
Metropolitan............	34	1,137,000	101,682
Chester	38	816,000	98,000
York	20	402,060	48,000
Lichfield and county...	16	235,000	29,000
Total............	108	2,590,000	276,682

That was the case in 1836. Immense efforts—most praiseworthy efforts—have been made since that period to increase the available means for providing ministers and church accommodation for the destitute poor in these dense masses of the population. But observe—whilst these efforts have been extending, the population in the destitute districts has been rapidly increasing; and I speak advisedly, upon the highest episcopal authority, when I say, that after all that has been done, both in the metropolis and in the manufacturing districts, aided even by the measures of my right hon. Friend, in which I took an active part, for endowing, from the means of the Church, numerous parishes and districts—I say I have the highest episcopal authority for asserting, that all these additional means fall short in proportion to the increase of the population from 1836 to the present time. The consequence is, therefore, irresistible that all the facts set forth in the first report remain practically unchanged, and in full operation, and that all the reasons assigned for applying the available funds of the Church to increase the means of religious instruction, as contradistinguished from the creation of an additional number of bishops, remain in full force, and are valid in every particular. But does the case stop here? I will go on to read some additional reasons which are set forth in the report:—

> "But a comparison," it says, "between the amount of population and church room will not furnish by itself an accurate view of the provision which is made for the spiritual wants of the people, because many of the chapels which contribute to swell the amount of church room, have no particular districts assigned to them; and we consider the assignment of a district to each church or chapel to be necessary to the ends of pastoral instruction, and to carrying into full effect the parochial economy of the Established Church."

A sounder principle was never laid down. I say, that the establishment of churches in districts, with pew rents charged, and without a resident clergyman, is the most imperfect means of conveying spiritual instruction that could be devised. I attach the utmost importance to the residence of a pastor, to his mixing daily with the people in his district, visiting their homes, contributing to their comfort in distress, administering to their relief in sickness and want, bringing them, by his daily ministrations in the week, to partake of his sacred offices in the church on the Sabbath; and, when they come there, it is most desirable that no demand should be made on their pockets in the shape of pew rents, when means of endowment can be obtained from other sources. These are the principles upon which this report is founded: they are sound principles—they are principles which I am sure every judicious friend of the Church would wish to see maintained; and I contend they are far more important with relation to the advantage of the Church itself than any addition to the number of bishops. The report then goes on to say — "The evils which flow from this deficiency in the means of religious instruction and pastoral superintendence" are to be met by increasing the number of bishops —do they say? No, but they say—

> "The evils which flow from this deficiency in the means of religious instruction and pastoral superintendence, greatly outweigh all other inconveniences resulting from any defects or anomalies in our ecclesiastical institutions; and it unfortunately happens that while those evils are the most urgent of all, and most require the application of an effectual remedy, they are precisely those for which a remedy can least easily be found."

Here, again, you are about to part with one of those remedies which may easily be found, which are readily available, and which are existing now; for if you will obliterate the distinction between the Episcopal funds and the Common funds, I tell you that the Episcopal funds when merged in the Common funds are immediately available to meet the evils which the Ecclesiastical Commissioners, in 1836, said "outweigh all other considerations," and have this peculiar advantage, that they are easily to be found. The report then goes on—

> "The resources which the Established Church possesses, and which can properly be made available to that purpose, in whatever way they may be husbanded or distributed, are evidently quite inadequate to the exigency of the case; and all that we can hope to do is gradually to diminish the intensity of the evil."

The "intensity of the evil" exists still; and I say you are about to leave "the intensity of the evil" unredressed in a most important matter. Instead of supplying funds from episcopal incomes which are surplus to mitigate the evil, you are about to retain them for episcopal, and not for parochial purposes. I cannot consent to such an application of those funds; and though I may be willing to acquiesce in the erection of the bishopric of Manchester, under the peculiar circumstances, I cannot advance one step further in that direction. There still remains a most important question, to which I am anxious to call attention. I object to the provisions of this Bill, inasmuch as it contemplates the creation of bishops with imperfect rights as bishops. I have a very decided opinion that if you make additions to the episcopacy you ought not to limit the prerogative of the Crown, but that if a new bishop is created, as the Bishop of Ripon, so the Bishop of Manchester should have a right to sit in the other House of Parliament. Upon this point I have the strongest opinion. I believe when principles are avowed such as those which Her Majesty's Ministers have frequently heard avowed in this House, hostile to the presence of the Bishops in the House of Lords, that you cannot shake the title of the entire Bench to sit in Parliament in a manner so formidable as by enacting a limitation of this kind. See what will happen. Take the case of Manchester. You will appoint some energetic and faithful clergyman to be bishop of that district. He will enjoy from his first appointment the whole of the income permanently attached to his see. There will be to him no temptation and no duty calling him to come to the metropolis or to spend money except in his diocese. His whole time will be diverted to his diocese, and there would be no call on him to come to London in the discharge of any political function. Now, by this arrangement you do one of two things. You establish an invidious comparison between that bishop so doing his duty in his own see, and other bishops of neighbouring dioceses who are not residing in their sees—not so devoting themselves as he will do to the discharge of their episcopal duties, but residing for a considerable part of the year in London for the purpose of fulfilling their political functions. But you establish, also, another invidious comparison—a comparison between this Bishop of Manchester before he sits in the House of Lords, with what he must become after he obtains his seat. When he goes up to Parliament he must curtail his charities, he must restrict his hospitality, he must fail in the discharge of some of those local duties, which you now urge as the plea for his immediate appoinment. I cannot conceive a more impolitic arrangement not only in this respect but also in others. You say that should the see of Winchester or Durham become vacant, on no account should the bishops succeeding to those sees be deprived of their seats in the House of Lords. On what principle is this preference given to those two sees? Is it on account of their superior dignity? ["No, no!"] Then is it on account of their size? I almost wish it were; because, if it were, there would not be the same degradation implied; but then Carlisle and Exeter would have equal claims. I can see no principle whatever in the proposed arrangement. It is a change which is calculated to give the greatest offence to the clergy of the different dioceses affected by it. I think it would be far better at once to make a Bishop of Machester, to endow him from the surplus of the Episcopal fund, and let him be called up by writ from the Crown to the House of Peers. Let us there take our stand, and say that we will not allow any further additions to the Episcopal Bench; but do not let us introduce a change like this, which at any time would be injudicious, but which is more especially so at the present time, when the Member for so important a place as Manchester has told us he wishes to see the bishops removed altogether from the House of Lords. Do not let us take a step which would go so far to aid a proposition of that kind hereafter, and at some future time to impair the title of the bishops to their seats in the House of Lords. But then it may be said, that the discipline of the bishops over their clergy is diminished by their inferior number. But, if you wish to increase the discipline of the bishops over their clergy, you must do it, not by multiplying the number of bishops, but by adding to the efficiency of their staff in the shape of archdeacons and rural deans. The Commissioners also go on to point out an available fund for this specific purpose; and I very much fear that a most important recommendation in that report has not been acted upon. They go on to say—

> "We recommend that the chapter in each of the churches enumerated, both of the old and new foundation, should consist hereafter of a dean and four canons, and that one at least of these canonries, when they may be in the patronage of the bishop, should be made available towards a better provision for the office of archdeacon.
>
> "We have taken into our consideration the important nature of the duties belonging to the office of archdeacon, and the inadequacy of the provision at present made for the great majority of these officers, the number of whom we have proposed to increase, and upon whom additional labour will be imposed by the regulations which we are prepared to recommend. The total of their endowments is in most cases not adequate to defray the necessary expenses even of their ordinary visitations, still less those of their parochial circuits, the regular performance of which is the most essential of their duties.

> "We have already recommended that in each cathedral, where such an arrangement is practicable, one at least of the stalls should be applied to the purpose of making a better provision for this important officer."

I fear that this recommendation has not been generally attended to, and that all the bishops in their respective chapters, have not so appropriated their patronage, either on the old or new foundation. Sir, I will not join in any factious opposition to this Bill. I am ready to go into Committee, considering that on so important a principle, and one which I believe to be so dangerous to the Church, no time ought to be lost in taking the opinion of the representatives of the people as to the course to be pursued. I repeat that I am prepared to go into Committee; but I shall propose to exclude from the preamble the words which give an implied pledge that three new bishoprics beyond the new see of Manchester shall be created; and I propose also to strike out the 2nd Clause, the effect of which course will be, that the bishopric of Manchester, will be created, and the bishop, endowed like all other bishops, will at once be entitled to his writ of summons to the other House of Parliament. Now, the hon. Baronet the Member for the University of Oxford, whom I do not now see in his place, commended the noble Lord opposite at the expense of the late Government as being a far better friend to the Church than we were. Sir, it is not always the friends who are most compliant who are the most judicious or sincere. The hon. Member for Cockermouth alluded to the opinion of Lord Stanley. Now, there was a most appropriate quotation made by my noble Friend, which he applied to this subject. As it was made in the other House of Parliament, I may, perhaps, venture to repeat it here:—

> "Evertere domos totas optantibus ipsis
> Dii faciles. Nocitura togâ, nocitura petuntur
> Militiâ."

I fear that the churchman might be added to the lawyer and the soldier. I believe that requests are often urged—injudiciously urged — by the members of professions, which, if conceded, either inadvertently or too gently, are found gifts fatal to those who ask them. I believe that the heads of the Church generally, if not unanimously, desire this augmentation of the number of bishops. I feel strongly that it is not an additional ornament that we want for the temple, but we require buttresses to sustain the tottering fabric of the Church itself. Above all, I think it dangerous to propose such changes at a time when there has been raised a steady and uniform opposition against the Church by the various dissenting bodies. The course proposed is one calculated to excite the jealousy of Dissenters, who look on the Church with an evil eye. I do not agree with the hon. Member for Montrose in his opinion as to Church property. I deny that Church property is public property in the sense in which he uses the term. I believe that it is limited in its uses; that it was the gift of pious men in former times, who set it apart for the purposes of the Established Church of the country, and that it ought not to be alienated from this sacred use. But I also believe, that, as a Member of the Legislature, I am entitled to appropriate those revenues in the manner most conducive to the good of the whole body; and being at the same time deeply, earnestly, and honestly convinced that an increase of the number of bishoprics over and above the proposed see of Manchester would not be for the benefit of the Church — entertaining that opinion, I cannot better express it than by voting for going into Committee, and by there making the Motion I have already stated it is my intention to propose.

Mr. ACLAND was very thankful for the speech of the right hon. Baronet, because it clearly explained the grounds on which he believed the late Government were prepared to act on this subject. The quotation made by the right hon. Baronet was rather a hackneyed quotation than an apposite one; and he would himself venture to apply to the speech of the right hon. Gentleman one equally hackneyed—

> "Non tali auxilio, nec defensoribus estis
> Est opus."

With all the right hon. Gentleman's abilitios, he (Mr. Acland) believed he had never made a greater mistake than when he said he could not agree to the proposed augmentation of the number of bishops. When a bishop makes his visitation, he meets the clergy of thirty or forty different parishes at some market town. When he confirms, he endeavours to divide the districts into smaller portions; but he was obliged to gather together 300 or 400 children in a large town, unattended by their parents, and scenes frequently took place not consistent with the spiritual purpose of the rite of confirmation; that was one reason why he wished to see an increase in the number of bishops. The small number of churches that had been built in the diocese of Durham had been mentioned. In London the bishop had built fifty-five churches, and the metropolis was but a small part of his diocese. Nothing was wanted so much in the diocese of Bath and Wells as a head of the Church living among them. The bishop was prevented from doing so by the state of his health; his son was very able and zealous, and just what the right hon. Gentleman seemed to think a bishop ought to be—a punctual answerer of letters; but he was not their bishop, whom they wanted to reside among them. The right hon. Baronet had referred to the names of distinguished individuals, whom he quoted as having pledged themselves to the principle that the bishops ought not to be increased. He knew what that opinion was founded on; he believed the Commissioners had not then faced the question. The laity of England had now looked that question in the face, and their opinion was, if they could not have more bishops with seats in the House of Lords, they ought to have more in the Church. The State gained more than the Church by the bishops having seats in the House of Lords; it made them more acquainted with the details of policy and with statesmen; but it did not make them more firm maintainers of principle; it rather made them more conscious of difficulties. It made them more responsible to the State; in point of ecclesiastical power, the Church did not gain anything by the bishops being temporal Peers. The State gained by their presence; but the Church could not submit to the spiritual detriment caused by the bishops living half the year in London, removed from their flocks by distance and occupations of an official character. That the bishops should have seats in the House of Peers was one of the fortunate accidents of their office; but it was not essential to their functions as bishops; he was convinced the great body of the people did not regard them in the light of temporal Peers. Had not the laymen of England, within the last few years, increased the number of the colonial bishops ? They were not beholden to statesmen for that. In a country so divided in religious opinion as England, where there were so many Dissenters and Roman Catholics, he should not think it expedient to ask money of that House for the increase of the spiritual means of the Church of England. But that did not lead him to the same conclusion as the right hon. Gentleman. It taught him that they made a great mistake in supposing that cutting and carving the revenue of the Church was the only reform possible; it led him to think they ought rather to make all the functions of the Church efficient. He concurred with one portion of the right hon. Gentleman's speech, in which he seemed to show a gleam of better views of Church reform. The right hon. Gentleman spoke of making the deans and canons of cathedrals more practically efficient as auxiliaries of the bishops. When the right hon. Gentleman should next be in a position to propose measures of Church reform in that House, though he feared his efficiency would be greatly lessened after the speech he had just delivered, he hoped he would have learned better to understand these things, and reconsider the present position of the deans and canons in dealing with the patronage of the Crown—often exercised with little good either to the Church or the State; he hoped the right hon. Gentleman would endeavour to make these institutions efficient for the purposes for which they were originally endowed. The right hon. Gentleman had spoken of the praise given by the hon. Member for the University of Oxford (Sir R. H. Inglis) to the noble Lord opposite; in one thing the noble Lord was a better friend of the Church then some who opposed him; he did attend to the independent and spontaneous action of the religious feelings of the Church of England; the noble Lord was disposed to deal with it in the same spirit in which he dealt with the Dissenters. He did not want any favour at the expense of the Dissenters; but he asked for freedom and justice. He trusted, that those who might succeed the noble Lord would learn that the feelings of the Church of England were not what they were ten years ago. In that time there had been a great deal of bitter religious discussion among them; but it had led them to look into principles, and he trusted both parties would endeavour to meet that spirit fairly.

SIR W. MOLESWORTH regretted the noble Lord had not consented to withdraw this Bill. He must therefore oppose it by every means in his power. This Bill raised many grave and serious questions : 1st, as to the extent of the spiritual destitution in this country; 2nd, as to whether that destitution should or should not be relieved by the State; 3rd, if it should be relieved, in what manner—whether by augmenting the number of bishops, or increasing the efficacy of the working clergy; and lastly, whether the surplus of the episcopal funds had not better be applied to other than Church purposes. These questions were most important, and ought not to be settled at the termination of a Parliament. He objected to this Bill amongst other reasons, because it tended to increase the pomp and hiearchy of the Church, and not to improve the condition of the working clergy. The argument urged in favour of this Bill by the noble Lord the Member for London, was, that bishops cannot at present discharge the whole of their episcopal duties; and therefore he inferred that their number ought to be increased. The right hon. Baronet opposite, in his most able speech, examined what were the duties of a bishop, and showed that they were not so very burdensome and overwhelming. The hon. Member for West Somerset (Mr. Acland) was extremely indignant at the speech of the right hon. Baronet, and attempted to refute his arguments in vain; and with great tractarian vehemence and declamation he declared that the laity of England would have more bishops. He asserted that they did not want more bishops. He asserted this in the name of the county in which he resided, namely, Cornwall, that they did not want more bishops. [An Hon. Member: There is to be a Bishop of Southwark.] Was that true? He protested against it in the name of his constituents. But, supposing the noble Lord was correct in asserting that the bishops cannot at present perform the whole of their ecclesiastical duties, it did not follow that their number ought to be increased. Why not relieve them from the unnecessary duties which the right hon. Baronet the Member for Devonport said consumed so large a portion of their time? He meant their legislative duties as Peers. He was much struck by the soundness of the argument made use of by the right hon. Baronet (Sir G. Grey) on a former occasion, in favour of a clause of this Bill, in reply to those who said that the new bishops should be Peers. The right hon. Baronet said, that bishops at the commencement of their career could not pass two-thirds of the year in London, and at the same time properly perform their duties as bishops. He agreed with the right hon. Gentleman; it was evident that bishops could not discharge their duties as legislators—they could not study all the great and important questions that are brought under the consideration of Parliament—they could not take a part in the debates of the House of Lords—constantly attend to those debates, and sit upon public and private Committees—without neglecting their episcopal duties in their respective dioceses; duties which it was acknowledged are so burdensome at present that it was said to be necessary to increase the number of bishops. He agreed with the right hon. Baronet, that bishops cannot sit for six or eight months of the year in the House of Peers, and at the same time be present in their sees, exercising their pastoral functions and watching over their subordinate clergymen. They must consequently neglect their duties either as Bishops or as Peers—they must become either bad bishops or bad legislators; and in many instances they do become both bad bishops and bad legislators, to the great injury and detriment of the Church of England, as it would be easy to prove from specific cases which he could cite. Indeed, he believed there was nothing more injurious to the Church of England in popular estimation, than the fact that bishops have seats in the House of Peers, become political partisans, and take an active part in the politics of the day. It was true that the right hon. Baronet confined his position to bishops at the commencement of their career as bishops. But it was evident if the right hon. Baronet's position be true of bishops at the commencement of their career, when they were younger men, more vigorous, and consequently more competent to discharge the double duties of bishops and legislators —*à fortiori*, his position must be still truer of them at a later period of their career, when advancing age impaired their energies, and consequently rendered them less capable of performing double duties. He agreed with the right hon. Baronet opposite, that if the second clause became law, a great difference would soon be perceived by the people between the manner in which episcopal functions would be performed by those bishops who were not, and those who were, Peers of Parliament, and especially by the same individuals before and after they obtained seats in the House of Lords. It was said they could not perform at present their duties as bishops. He said, relieve them first from their duties as legislators, and then if with their spare time they cannot still perform their duties as bishops, then, and not till then, apply to Parliament for more bishops.

Mr. MONCKTON MILNES received the concession made by the Government in this Bill with much pleasure; and he must say that till that evening he could not have conceived that the question of a new bishopric at Manchester, could have led to so much strongly expressed feeling in that House. He considered that the spiritual Peers had always taken their full share in the duties of the legislative assembly, of which they were such valuable Members. He knew it was said that great practical inconvenience arose from the junior bishop acting as chaplain to the House of Lords, particularly during the first year, when he ought to be cultivating an intimate acquaintance with the clergy of his diocese, instead of being compelled to remain in London to read the prayers in the House of Lords every day. Perhaps on that ground it might be as well that the junior bishop should not take his seat in the House of Lords; but at the same time he thought it most injudicious and anomalous to draw the invidious distinction implied by bishops in the House of Lords and bishops not in that House. He thought that the presence of the bishops in the House of Lords had been most beneficial to that assembly; and he regretted, therefore, that the noble Lord at the head of the Government had not given given the new bishop his seat. Such a measure would have created no fears or misgivings in the intelligent and sensible part of the community; and the Bill would have been received with far more pleasure by Churchmen. He should vote for going into Committee.

Mr. EVELYN DENISON believed the question of the augmentation of the number of bishops, with the limitation of their seats in Parliament, and all other matters of that sort, had been maturely considered by those best competent to form an opinion on the subject; and the Bill, therefore, was entitled to the support of the House. He thought the right hon. Baronet the Member for Dorchester stated that until he became a Member of the Ecclesiastical Commission he was not aware of the division of the Episcopal and the Common funds; because if the right hon. Baronet thought that distinction so unfortunate as he would lead the House to suppose, why had he not during the four years in which he sat on the Treasury benches, at the head of the Home Department, the organ by which these funds were administered, taken steps himself to introduce some Bill to reform that unfortunate arrangement? He hoped, though the right hon. Baronet had not done that, to find that he had at least exercised a more vigilant superintendence over the disposal of those funds when a Commissioner, than he thought had been exercised by any Member of that Commission. He differed with many points in the right hon. Gentleman's speech, and doubted much whether the House would have heard anything of these strong objections had it not been for the recent appointment of a Committee of that House, and that there was an inquiry pending on the subject. Having supported the noble Lord on the second reading of this Bill, and having then stated on what grounds, it would be unnecessary for him to give any further explanations why he deemed it his duty to continue to give the Bill his support in its future stages.

Viscount SANDON could not allow the speech of the right hon. Baronet the Member for Dorchester to pass, without, as a Churchman, entering his protest against the extraordinary views the right hon. Baronet had taken of the duties of a bishop. The right hon. Baronet seemed to think that a bishop had just to go through a certain amount of mechanical duties in a certain number of days; and any human being composed of bones and sinews sufficiently strong, and with a mind sufficiently energetic to go through those duties in that time, would answer all the purposes of a bishop. That opinion might have suited the last century, but it would not do for the present one. One of the worst results of the negligence of the last century had been the creation of such a low mechanical view of the duties of the bishops of our Church; and the view taken by the right hon. Gentleman was one of the strongest evidences of the effect of that negligence upon the public mind. If, by an increase of their number, proportionate to the increase of the population, the full discharge of their consequent duties had been rendered possible, he (Viscount Sandon) would never have thought that he had fully enumerated their duties, or drawn the picture of a perfect bishop by the recital of so many days spent in visitation, so many in confirmation, so many in ordination; and that then his work was done. He did not know with what diocese the right hon. Baronet was connected—[Sir J. Graham: Carlisle]—but in the one with which he had the pleasure of being connected, the bishop did more than that. The bishop in whose diocese he lived, never rested: there was no day, no hour, of which he could properly be said to be his own master. There was no day, no hour, in which that right rev. Prelate was not discharging some duty as the head of a Christian diocese. Independently of the supervision of several hundred clergy, scattered over three counties, the building of new churches or the erecting of new schools; the direction of missions to foreign parts; the providing and arranging new machinery to meet the spiritual wants of the growing population—nay, provision for relieving the physical wants of the people—all demanded the advice and assistance of the bishop. And if the bishop of his right hon. Friend occupied his time in the mere necessary routine which he had described, he could not be that living principle to his diocese which he ought to be. The right hon. Baronet had talked of consecrating churches, and had counted the number of days spent in consecrations; but before they arrived at that stage, there was correspondence month after month—consultations, consideration, advice, and assistance—expected from the bishop. Week after week, and month after month, the subject occupied his time and his thoughts before it came to the final consummation—the only part of the business to which the right hon. Baronet alluded—the consecration. And so in the other details of routine duty, the right hon. Baronet had only mentioned the crowning act, but forgot all the preliminary process the bishop had to encounter. The right hon. Baronet forgot the voluminous correspondence which the duties of the bishop called for. [Sir J. GRAHAM: I mentioned that.] Yes, the right hon. Gentleman mentioned it in general terms; but he seemed to have but a moderate idea of its extent and burden. He was told the other day by a right rev. Prelate, that few days passed without his having written fifty letters in a morning. Was there any statesman, the fatigue of whose duties equalled that laid upon the bishops? And yet statesmen only held their offices while they had health and physical powers equal to their duties; but a bishop once made was always a bishop, and could never quit his post. The diocese of London, as it was to be by the arrangements of the Commissioners, would contain two millions of inhabitants—a number equal to two German kingdoms; and that was to be left in the hands of one man, subject to all the uncertainties of health and strength of body and mind. The bishop was the guide and director of his clergy, and the guide of the laity, too, who concerned themselves with the spiritual affairs of the diocese over which he presided; and was it possible that one man could go through all these duties? If we were still to have an Episcopal Church, let Parliament, he would not say make it, but permit it to be, as efficient as possible. Let its heads bear that proportion to their duties which they did in the days of their forefathers; and then they would not be considered any longer as mere State functionaries, having no other functions but those of consenting to Acts of Parliament, and carrying out their mechanical provisions. Whether this might be considered "High Church" or "Low Church," he cared not; he would never be satisfied with the Church if it did not grow with the growing population. They did not treat the Army or any other institution as they treated the Church. If the privates were increased, the generals and officers were also increased; or if they were not, the mischief was soon discovered and a remedy applied; and so it ought to be with regard to the Church. Some Gentlemen said—and it was plausible enough—"Why lay out this money on bishops, while there is such a want of parochial clergy?" The observation was plausible; but it might be extended much further. How many privates could be got for one officer? How many working clerks could be obtained for the salary of one Lord of the Treasury? Yet common sense and experience told them, that to make numbers efficient, they must have an adequate and proportionable body of officers to direct them—even though the expense *per capita* appeared excessive. The question was, could the Episcopal staff—he had almost said of the Heptarchy—be adequate to our present wants? But, looking only to immediate and pecuniary results, he had little doubt that if they had an additional number of bishops—good, zealous, active men—the effect of the closeness of contact into which they would be brought with all the clergy and laity over whom they presided, would be to produce liberal contributions from the faithful, quite large enough to pay for the increased number of parochial clergy which must be provided out of the Episcopal Fund. Look at the effect of the creation of bishops in the colonial dependencies. Some people said then, as now, it was an idle waste to spend money upon bishops: how much better would it be to send out additional clergy with the money. But they had not followed this policy; and what had been the result? The number of clergy had been increased far beyond what the money spent on the bishoprics would have provided; and the efficiency of the whole body was increased besides. For his part, he should never be content until he saw a bishop in every county in England. He laid no stress on the new bishops having seats in the House of Lords. In fact, he was glad to see the idea broken through, that bishops must be Peers. As long as the idea prevailed that every new bishop must be a Peer, there was a constant obstacle to the increase of their number in proportion to the need of them. Every such creation, even if made out of the resources of the Church, became a political question, on which Dissenters and politicians raised, not unnaturally, objections. But let such creation merely be the creation of a new Church officer, simply for Church purposes, and provided for out of Church funds, and he did not see what objection could be raised by such parties to the increase of those means of efficiency without avowing nakedly that the Church being unable to move in such matters without the permission of the State, they, being hostile to her religious views, were determined to use the civil power to cripple her efficiency and limit her extension—a feeling they would hardly avow, and he hoped would not ever entertain. It was certainly one that they would be very unwilling to see adopted by Churchmen in regard to members of other persuasions. It would, in fact, be a use of civil authority to check the growth of religious opinions—a religious persecution of the worst sort. But he hoped better things, and that to the creation of bishops, having no political functions, Dissenters of every persuasion would feel that they had no title to object. The Church of England had suffered enough from this state of things; and for these reasons he hoped it would not be insisted that the new bishops should have seats in the House of Lords. He himself had no objection. Any fear of the preponderance of the Episcopacy in that House, with such a vast majority of lay Lords, was idle; at the same time, he was quite satisfied with the representation of the Church in that House; and he did not wish to keep up in the minds of Englishmen the idea that there could not be a bishop unless he was a temporal Peer. His right hon. Friend (Sir J. Graham), under that impression, had spoken of bishops not Peers as being "imperfect bishops;" but he thought the Bishop of Sodor and Man, without a seat in the House of Lords, was as good a bishop as any of the other Prelates. That was an impression in the minds of the people it was desirable to break through; and they might then hope to have the wants of the Church in that respect, without regard to politics, provided for. That there should be a representation of the Church in the House of Lords, he held to be of the highest value in every way, independently of its being a part of the ancient constitution of the country, which he should be most unwilling to disturb. The recognition of the Church, as one of the ancient and essential elements of the State, he held to be most important; but, independently of that, it was most important, deprived as our Church was of her natural organ for self-government, that she should have an opportunity of coming together—at least by her heads conferring upon all common objects of interest to her, and producing something of that uniformity of view and action which, if the bishops never met together, would be totally wanting. It was important for purposes of harmony and co-operation that they should be called up annually to meet. It was also equally important for the social system, that, holding the influential stations which they did, they should be called up to Parliament to mix with statesmen and men of different professions, by which their own mere professional opinions might be modified and enlarged. For these reasons—having no jealousy of additional bishops in Parliament, but wishing to remove any obstacle which would be inevitably placed in the way of the proper increase of their numbers by insisting on that point—not pledging himself to the particular mode by which the existing number was to be admitted to the House of Lords, but rejoicing in the measure as a step in the right direction—he gave his hearty assent to it. With regard to the bishops leaving their sees to attend Parliament, it would be necessary that they should meet in London were they not in Parliament; and therefore he saw no force whatever in that objection. The noble Lord, in conclusion, declared his intention of supporting the Bill.

MR. NEWDEGATE thought the creation of bishops without seats in the House of Peers would be depriving them of one of their most useful functions and most essential honours. He must say he thought the objection to increase the number of prelates beyond the Bishop of Manchester came with little grace from the right hon. Baronet the Member for Dorchester. The right hon. Baronet had shown that he had understood that necessity of the case; and he (Mr. Newdegate) could not forget that while he had the power he refused to meet that necessity. He highly commended the present Government, which had faced far greater difficulties than would have met their predecessors. If he did not agree with all the details of the scheme, he could, as a Churchman, thank the noble Lord at the head of the Government for having given his attention to the subject. The hon. Member for Manchester (Mr. M. Philips) had talked of "inflicting" a bishop upon Manchester, and of the feelings at seeing a wealthy bishop "rolling" through the streets, that would be raised in the minds of the starving people of Manchester. Were they starving? If they were, he lamented it; but he did not believe that the consciousness of there being one of the heads of the Church of his country among them, exercising the beneficent functions of his high office, would excite any malevolent feelings in the minds of any class of Englishmen. The right hon. Baronet seemed to shrink from that; but he thought that when that time should arrive that the bishops should have to shrink from public criticism, the episcopacy was in danger; but he thought that day far distant. It was quite clear that in these days of church extension an increase of episcopal superintendence was necessary. For his part, he thought there ought to be a Bishop of Manchester, with a seat in the House of Lords, and a sufficient number of suffragans. He thought it, however, the duty of every Churchman to give the noble Lord his support. The noble Lord had shown a willingness to extend to the Church the same attention he had given to the various denominations of Dissenters ; but he regretted that the noble Lord had not maintained the same spirit throughout that he had evinced when he introduced the Minutes of Council. The Church was surely as well worthy of support as any of the sectarians of England. He regretted that the Bishop of Manchester was not to be made equal with the other prelates, and that a sufficient number of suffragans had not been appointed to meet the Church's necessities; but he felt bound to give the noble Lord his support.

VISCOUNT CLIVE said, that the right hon. Baronet had quoted the speech of Lord Stanley last year; but he ought to have followed it up from the speech of the noble Lord this year, which was delivered in a different tone and spirit, as the noble Lord had now far advanced in churchmanship to what he had been on the first occasion. The right hon. Baronet was one of those who, in voting for the Bill to unite the bishoprics of Bangor and St. Asaph, had struck the first blow at the Church; and he therefore thought that opinions coming from such a quarter ought now to be looked on with jealousy. The hon. Member for Southwark had told the House plainly that he should like to see the bishops deprived of their legislative functions, and that he believed the people of England were of the same mind. But the hon. Member should recollect that that issue had been tried some years ago when the Church was in a far less efficient state than at present, and the number of supporters to be found for the hon. Member's view was small indeed. He would say that if ever a time should arise when the people of England should be anxious to turn the bishops out of the House of Lords, it would be brought about by gross neglect of duty on the part of the Church herself; and it would be high time that she should receive such a lesson of humiliation. He contended that an increase of the episcopate was loudly called for. The right hon. Baronet had laid great stress ou the spiritual instruction of the people; but the present means were quite insufficient. If all the revenues of the episcopacy were taken, they would be quickly swamped; but by increasing and perfecting the organization of the Church, a vast increase would follow in subscriptions, self-denial, and exertions. Of this the bishopric of Ripon furnished a remarkable example ; when, by the exertions of the bishops, a vast amount of private subscriptions had been raised, and sufficient almost to keep pace with the increase of the population. The right hon. Baronet had said that the new churches should all be endowed by the Commissioners; but that was impossible, as they had all been built by private subscription, and would swallow up the whole funds of the Commission without being any nearer the mark than now. But they must recollect that the Bill they were now altering was passed in 1837, while the Cathedral Bill was not passed until 1840. The change was made when a fierce conflict between two parties was going on, when the Government was struggling against a force too strong for them. It was supposed the Commissioners had acted in a liberal view until individual Commissioners began to publish extenuations of their conduct. [The noble Lord read extracts from the letters of the Bishops of Lincoln, Lichfield, and London, in explanation of the course they had adopted with reference to the second report of the Commissioners.] He contended that the institution of additional bishops would tend to increase the efficiency of the Church, and likewise tend to increase the number of her zealous servants. This was proved by reference to the colonial bishoprics, all of whom had brought out a staff of clergy with them, and thus in an eminent degree promoted the utility of the Church. This was shown most conspicuously in the case of the bishopric of New Zealand. He approved of the course which the Government had adopted, for he believed it was calculated to increase the efficiency of the Church, and to promote the religious instruction of the people. Holding those opinions, he could not but give his support to the measure; neither could he refrain from returning the Government his cordial thanks for introducing it to the consideration of Parliament and the country.

MR. HORSMAN felt reluctant again to trespass so soon on the House; but as it was clear he had been misunderstood by several hon. Gentlemen with respect to certain portions of his statement, he felt bound to offer a few remarks in explanation. He did not propose that sixty suffragan bishops should be added to the Church. No such proposition had emanated from him. He might have been misunderstood by hon. Gentlemen, and probably he was; but what he really intended to say was, that as the advocates of additional bishops had urged the necessity of further episcopal superintendence, and that as they had proposed the formation of sixty suffragan bishops, he could propose a plan which, in his humble opinion, would increase the efficiency of the Church in the most economical manner. He had put the proposal to appoint sixty suffragan bishops as an alternative, but not as a recommendation from himself. Neither did he propose the suppression of the deaneries; but he said that if they could reduce the deans to 1,000*l.* per annum, the minor canons to 900*l.*, and reduce the expenses of the cathedral services, they would have a surplus of 100,000*l.* per annum, which could be applied to other purposes; and he also suggested that if they were to have additional bishops, it would be better to pay them out of the cathedral funds. This proposal was not, he considered, very unreasonable. His object was to make the attendance at cathedrals more numerous, by having the services performed by local clergymen, who would have associations directly connected with their congregations. He was surprised at the speech of the right hon. Baronet the Member for Dorchester (Sir J. Graham); for he had heard and believed that the right hon. Gentleman had left the Cabinet of Earl Grey in former years because he was shocked and alarmed at the course of conduct adopted by his Colleagues respecting the Church, and that he was one of those witnesses of the Church to which he had alluded. It now appeared that this could not be the case; for a more anti-episcopal speech he never heard ; and it would seem the right hon. Baronet considered the Bench of Bishops a sort of useless lumber —that, at least, was the conclusion he drew from his speech. But the right hon. Baronet might, perhaps, be paying his addresses to a constituency not particularly favourable to the Episcopal Bench, and might have altered his tone. With respect to the present measure, he could not approve of the time at which it was introduced. It should have been brought in at an earlier period of the Session ; and now that it had come before the House, he had never heard any hon. Member express a doubt respecting its postponement; and it would be a matter of great surprise if the noble Lord did not postpone it, as he had other Bills of less importance, to a future Session. He could not but view the Bill with alarm; and, though he agreed with many parts of the speech of the right hon. Baronet, he must express his opinion that one of the greatest faults of our Church, and one of the main objections he had to the Bill was, the immense distance between the bishops and their inferior clergy, which this Bill would not at all diminish. That was an immense misfortune; but the right hon. Baronet (Sir J. Graham) seemed to think that the bishop should only deal with the refractory and badly-disposed portion of his clergy, while the better portion of them, who required his patronage and support, should have as little to do with him as possible. [Sir J. GRAHAM: My expression was, that there should be easy access to the bishop when his advice was needed.]

He wished to see the enormous difference between the bishops and the clergy removed, and a body of laborious and efficient men established, who should form a link between the bishops and inferior clergy, assisting the one and strengthening the other. The measure of 1843, which created new ecclesiastical districts, seemed on the whole wiser and more efficient than the present proposition. It was not wise to press this Bill at such a period of the Session; but whatever the results of his opinion might be on this point, he had received great encouragement in the course he had already adopted, having received numerous communications within the last forty-eight hours from several of the metropolitan and suburban clergy, begging him to persevere as he had begun. In conclusion, he suggested that the Government should drop this Bill, and come forward next year with a larger and more comprehensive measure to increase the power of the Church out of its own means and revenues.

Mr. GOULBURN said, that in objecting to the expediency of postponing, as suggested by the hon. Gentleman, this question to another Session, with a view of introducing next year what was called a great and comprehensive measure, he did so simply for this reason—that if they were to wait for the completion of the great and general plan alluded to by the hon. Gentleman, and if they were to expect, in a future Session, a general concurrence in such general plan, he feared that they would be disappointed, and might find at the close of another Session that exactly the same reasons would be then adduced for postponing that more enlarged plan as were now urged for the postponement of the more limited measure of the Government. Thus they would lose an immediate and practical benefit, while they were looking for the attainment of another object, with respect to which no two persons might be found to agree. It was his intention, notwithstanding what had fallen from hon. Members on different sides of the House, to give his support to the Bill of the Government; and he congratulated the noble Lord opposite for having yielded to what he believed to be the sense of the rational portion of the community, in giving this additional power to the Church, not for temporal advantage, but for spiritual purposes, and for the extension of religious instruction in the community. He could not enter into the discussion of this measure without a reference to the period when measures with respect to Church reform were first adopted by a preceding Government; he regarded the present Bill as one of the fruits of those measures, and as a proof that they had tended to increase the feeling of attachment on the part of the people towards the Church Establishment. And though he did not envy the noble Lord the gratification of having now to reap the fruits of the measures which were before taken, he nevertheless felt that those who originated those reforms in the ecclesiastical system, stood precisely in the position of many a devoted minister in populous districts, who, sowing the seeds of a future harvest, left it to others to gather it in. It had been stated, in the course of the debate, that they were precluded from entertaining this Bill of the noble Lord for the creation of a Bishop of Manchester, on the ground of the arrangement framed by the original Church Commission; and it had been assumed, because those Commissioners in the first instance stated that the most crying evil of the country was the want of religious instruction, and that the lower orders of the people required an addition to the parochial ministry, that therefore the Commission rendered impossible all future addition to the episcopal authority. Passages had been quoted from the report of the Commissioners negativing this supposition; but, even had no such evidence been in existence, he should have thought that the names and character of the persons who signed the document, would of themselves have been sufficient guarantees that the intention of the Commission could never have been that which was now attributed to them—that they had no view of binding up for ever the discretion of Parliament—and that when they recommended a greater number of parochial ministers, they did not shut out all consideration of the future inevitable necessity of increased episcopal authority. The Commissioners, be it remembered, were all members of the Church of England—a Church in which episcopal authority was an essential element of ecclesiastical government; and it was absurd to suppose that if they contemplated adding to the number of parochial ministers, and so far to supply the religious need of the community, they could have been so blind to the interests of the Church as to forget that the labours of such ministers could only be made efficient by securing due episcopal superintendence. The recommendation then made, with reference to the episcopacy, was that there should be established a bishop at Manchester, to be appointed only in lieu of another bishop to be removed from a diocese in Wales; and he was quite aware that that arrangement at a subsequent period incurred great opposition. On this he need say nothing. The only question now was this—should they have a bishopric of Manchester, or should they not? That being the state of the case, and the union of the bishoprics of St. Asaph and Bangor having been abandoned, partly in consequence of the opinions expressed in the House of Lords, and partly in consequence of the renewed feelings of attachment to the episcopal authority which had since sprung up, the single question now for their consideration was, whether they should appoint to the diocese in which Manchester was placed an additional bishop? On this point he had no hesitation in giving his entire concurrence to the proposal then before the House; not, indeed, that he did not feel all the weight of the objections urged to excluding the new bishop from a seat in the other House of Parliament. If the proposal which had been made by his right hon. Friend was persisted in, he should support it. He was sensible of all the dangers that had been described, and fully alive to the anomalies which would be occasioned if they created two classes of bishops, of equal authority, but one of which was deprived of that desirable connexion with the State which the other enjoyed. But in coming to a conclusion as to the necessity of a new bishopric of Manchester, he was mainly actuated by convictions as to the character and duties of a bishop very different from those which had been expressed by various hon. Gentlemen in the course of the debate. He did not consider a bishop to be merely an ornamental appendage to a church. [*Laughter.*] He knew, on the contrary, that he had most important duties to discharge; and though the hon. Member for Montrose laughed at this estimate of the episcopal functions, he did not suppose, that he, professing to be a member of the Church of England, was prepared to dispense with the services of bishops? His right hon. Friend the Member for Dorchester had also objected to any increase of the episcopacy. He did not undervalue the sincere attachment of his right hon. Friend to the Church of England, or the sincerity of his religious feelings; and he therefore spoke on matters of this kind on which his right hon. Friend had declared himself with great diffidence in his own judgment; but he differed completely from his hon. Friend as to the limits of the duties of a bishop. If he considered with him that all a bishop had to do was to ordain priests four times a year, to visit his diocese once a year, and in the course of that visitation to confirm children and to attend to the individual applications of clergymen who solicited his interference on disputed points of discipline, he should perhaps conclude that the bishops at present in the Church were sufficient, even if the existing dioceses were still further extended. But it seemed to him that there were important functions attached to the office of bishop, which had certainly escaped the observation of his right hon. Friend. According to his view of the subject, a bishop ought not to confine himself to the consideration of cases addressed to him by clergymen: the bishop ought to be acquainted more or less with the character of every clergyman in his diocese—be prepared voluntarily to give advice, counsel, and direction to the parochial minister—and not wait until the evil had occurred to apply the remedy, to interfere by anticipation with friendly remonstrance and pastoral care. He did not speak on this subject without experience. It had been his fortune to live in a diocese administered at two separate periods in a very different manner: in the one case he had seen the bishop perform all the duties which his right hon. Friend said could only be expected; and in the other he had observed the most beneficial change worked in the character of the clergy, and the conduct and habits of the people, by the constant interference of the bishop in the way of affectionate advice and assistance to the inferior clergy. It had been argued, however, that such a superintendence over the subordinate clergy would serve no useful purpose. This was at variance with every man's experience, not only in the Church, but in the ordinary intercourse of life. The interference of the rich nobleman in the affairs of the poor cottager resulted always in mutual good; the very difference in the ranks of the two parties, the proud elevation of the one and the humble position of the other acting as an additional bond of union, making the inferior feel, as an enhancement of the benefit of the advice, the grace and favour of the giver. And such, he believed, would be the effect of the intimate relations between the bishop and the subordinate clergy. For his own part—desirous of seeing the affairs of a diocese effectually administered—had he to select between a poor clergy carefully superintended by a pious and worthy bishop, and a rich clergy without that superintendence, he would not for one moment hesitate to take the poor clergy with the advantage of the pastoral assistance of a pious and learned superior. It was for this reason he considered it essential that in the diocese of Manchester a bishop should be planted without delay. It was quite natural that those who entertained religious sentiments of a nature to render them adverse to episcopacy should feel some jealousy; but it was a little unfair that at this moment those gentlemen who were not called upon to supply the funds out of which the bishops would be paid—who were not asked to make any sacrifice of individual opinions for the promotion of the object—and who resisted all interference with their own discipline and religious ceremonies—should avail themselves of the power which their situation in that House gave them to obstruct a measure essential to the religious authority of the Church of England. Now, this Bill proposed, in addition to the creation of a bishopric of Manchester, to make future provision for a further number of bishops according as the funds of the Ecclesiastical Commission might be found adequate to the accomplishment of the contemplated purpose. He did not deny that had he originated this measure in Parliament, he should have preferred confining it to the erection of the bishopric of Manchester, that bishop being invested with all the attributes which at present attached to the other members of the episcopal body. He did not mean that he would thereby have precluded himself from adding, as the necessities of the country might require, to the number of bishops; but he would have taken the course of dealing with Manchester alone, because he thought it would have been better to restrict the one Bill to the immediate necessities of the particular case, and, as occasion might arise, to bring forward other measures. And an additional reason was to be found in the fact that from the state of the funds at the disposal of the Commissioners, a considerable period would necessarily elapse before those sums could be made sufficiently productive to provide for the ulterior object. But though this would have been his opinion had he himself had to submit the question to the House, his judgment was different now that the Bill had been introduced by the noble Lord. If he were now to join in the condemnation of that part of the measure providing for future bishops, he should put an extinguisher, as it were, on the hopes of extending hereafter episcopal superintendence; and that was very far from his object. An inference would be drawn from that opposition, to which he was not at all desirous of being exposed; and by taking part in it, his discretion might be fettered on the occasion when the creation of three other bishoprics came under consideration. Therefore, it was his intention, so far as the Bill related to those three future bishops, also to give his support to the Motion of the noble Lord. Among the important considerations involved in this measure, was one which had been already adverted to, the amalgamation of the two separate funds, at the disposal of the Ecclesiastical Commissioners, viz., the Episcopal fund and the fund for the augmentation of small livings. He would not now enter into the question whether these funds should be united, or continued separate. It was not denied that at the present moment the creation of the bishopric of Manchester, would absorb all the sums that were likely for some time to accrue under the episcopal branch; the real subject for deliberation was, how to afford to both branches — to the extension of the episcopal authority and the extension of parochial administration—such funds as were required for either the one or the other. He was convinced that the two funds had been accidentally consolidated by the Act of 1840; and the Act of 1841 was only a correction of that accidental errror. So long as the extension of episcopal superintendence was ensured adequately and in proportion to the spread of religious instruction among the people, it was a matter of little importance whether the funds were united or separate in point of law or in fact: what was really important was, that there should be a sufficient application to each branch; and while provision was made for the instruction of the people by the extension of the services of parochial ministers among them, that episcopal superintendence should be secured which was not merely a question of authority, but which involved materially the continuance of religious knowledge among all orders of men — which especially involved that authoritative exhortation to all classes, whether laity or clergy, to unceasing efforts in the cause of education and charity—which he trusted would always be, as they had hitherto been, the distinguishing feature of the British bishops—and which had always been received by the respectable portion of the community with the affection and reverence due to the sacred character of the office which the bishop held.

MR. B. ESCOTT considered this the most important measure that had been introduced by the Government, and one that deserved the most serious consideration of that House. He should have expected to hear its defence raised, by the right hon. Member for the University of Cambridge, on something like an intelligible principle; but he had listened to his speech in vain with the expectation of hearing the right hon. Gentleman lay down such a principle. One ground of objection to this measure was that it was a breach of compact. The compact was that a bishopric of Manchester was to be created on condition that the two sees of St. Asaph and Bangor were to be united. And who had been the Minister who had given the weight of his authority to that arrangement? No other than the right hon. Gentleman the Member for Cambridge, who was Chancellor of the Exchequer at that time, and who now came forward to support not only this Bill for creating a bishopric of Manchester, without the union of the two other sees, but also lent his gratuitous assistance to that provision of the measure which went to the establishment of three other bishoprics. It might be very well for a representative of one of the Universities to argue that the opinions of Dissenters should not be regarded in Church matters; but those who used such arguments were themselves the worst enemies of the Church of England. He agreed with the right hon. Baronet the Member for Dorchester that the danger of this Bill threatened the Church. It was a shame to the Church, and to any university, that the representative of it should vary his principles from day to day, and pretend that by his vacillation he was representing the opinions of a great portion of the people. The implied compact between the Parliament and the people as to the appropriation of the surplus funds, when the Ecclesiastical Commission was first established, had been broken. The object of that Commission was to provide for the spiritual destitution of the people and augment the poor cures, and the surplus funds were to be applied to that purpose. He challenged them to take the verdict of any jury of poor clergymen upon this Bill—men now living in obscurity, without the means of supporting their station, pious men, virtuous men, and learned men—whether they had consented to the appointment of an Ecclesiastical Commission with the view to the creation of four bishops with enormous salaries. He contended that nine-tenths of the people who belonged to the Established Church were against the establishment of these sees. Where were the petitions in favour of the measure either from the Church or the laity? He believed the doctrine was that the Church was the Church of the people—that the laity were a component part of the Church—and he denied that the laity were in favour of this Bill. The laity were divided in opinion, no doubt. Some took the view that the surplus funds should be appropriated to the relief of spiritual destitution by the augmentation of the miserably small cures; and another portion contended, that when the principle had been once admitted that church property would be made the subject of a Commission at all, the surplus funds of the Church should be appropriated to the general education of the people. He did not enter upon that question, or ask which of these parties was right, and which wrong, because he wished to confine himself strictly to the Bill, which he believed to be the really great question of this Session, and indeed of this Parliament. Did the Government really mean to carry this measure in this Parliament? Had they the slightest notion that it was possible to carry it? He had no doubt that the Bill would be defeated. He did not speak rashly or unadvisedly when he said that he believed the Government would be, or ought to be, most grateful to those who enabled them to get rid of a burden so obnoxious as that now hanging upon them in the shape of this Bill. Let him remind them how a friend of theirs treated a measure of this kind when first introduced. When the appointment of the Ecclesiastical Commission was before the House of Commons, his hon. Friend the Member for Liskeard, whom he did not now see in his place, said—

> "He wished to call the attention of the House and the country to the extraordinary position in which His Majesty's Government had placed themselves by hurrying on this Bill in so astonishing a manner. In all the annals of Parliamentary precipitation, nothing could be found equal to that

with which this measure was hastened forward. By what insanity was it that the Government now came forward in order to alienate their supporters from them, in order to carry into effect the recommendation of Commissioners appointed by the right hon. Gentleman opposite?"

In passing, he must observe that the right hon. Gentleman alluded to was not "opposite" at present; but he ought to be, to oppose and to expose this Bill. He certainly regretted that the right hon. Baronet the Member for Tamworth was not in his place at present; but to do him justice, he had not appointed the Commission with a view to such a Bill as had been introduced; and the right hon. Baronet the Member for Dorchester had said with an admirable consistency that he was prepared to go as far as the right hon. Member for Tamworth had proposed to go, but not so far as the provisions of the present Bill extended. However, the Bill would be defeated, and partly on the same grounds that had been set forth by his hon. Friend the Member for Liskeard. He would also remind the Government of the success which had attended the opposition to a former Bill of theirs; and which successful opposition had earned their gratitude. The Irish Arms Bill had been defeated by one or two determined men who had joined in opposition against that tyrannical and unconstitutional measure. So soon as that measure had been opposed with spirit it had been withdrawn; and after it had been withdrawn the Prime Minister told the House, with that frankness which belonged to him, that he had found, after consultation with the Lord Lieutenant of Ireland, that he could actually do better without the Bill than with it. And the noble Lord would now find, if he consulted the clergy and the laity, that the bishops would gain nothing in credit and estimation in the country by a Bill for the aggrandizement of that portion of the Church which was most open to popular objection, and that such a measure was neither calculated to support the Church in the estimation of the people, nor advance a Ministry in popular favour and public regard.

Mr. WILLIAMS WYNN had to crave the indulgence of the House for what he had no doubt would be kindly granted—the liberty of addressing them while he retained his seat. He felt a peculiar interest in the question before the House; he felt an interest in it, not only as the representative in Parliament of a county immediately situated within the diocese of St. Asaph, and materially concerned in the Bill, but also as having, in 1834, been appointed a member of the Ecclesiastical Commission, in which, however, he did not remain till the report was made, and to which report he gave an unwilling and reluctant assent. He gave his consent to the unions of the two bishoprics, chiefly because it appeared to him that it was the only means by which there was a chance of carrying the establishment of the bishopric of Manchester; and he was further tempted by the proposal which was made—and which he understood would be embodied in the report—by his venerable Friend, Lord Harrowby, that the revenue of the bishopric of St. Asaph should be applied to increase the revenues of poor clergymen and the establishment of additional churches. He thought this was a subject not sufficiently adverted to in this discussion. They had been told of the great prevalence of dissent in Wales; and certainly it was a thing to be regretted; but it did not exist to the extent that was imagined; because, of those who were put down as Dissenters from attending Dissenting meeting-houses, there were many who did so on account of the great size of the parishes, which placed them at such a distance from the church, that they were unable to attend it, though many of them did so in the early part of the day. He knew himself a district in which people had five or six miles to go to church, and the consequence was that they attended the dissenting meeting-house, because the services of the church were at so great a distance. Now, as an attached member of the Church of England, he must acknowledge that he never regretted that the people should take that determination; for though he might wish that they should attend church, yet if it was not within reach, it was better that they should attend the dissenting meeting-house rather than stay away altogether. As to the question of not giving the new bishops a seat in Parliament, he did not think it was objectionable in any respect. He did not think it was unconstitutional that the new bishops should be appointed, though they had not all the attributes and all the powers that had been given to others. He did not hold that the want of a seat in Parliament, while there were a sufficient number of bishops to watch over the interests of the Church in the House of Lords, ought of itself to form a sufficient objection to frustrate a measure of this kind. He would make one remark with reference to the preamble of the Bill. He was disposed to accede to the proposed increase in the number of bishops; but he held that this was a matter of so much importance, that it should be considered in a separate measure, and that Parliament ought not to be pledged to such a proposal by the mere recital of it in the preamble. Unquestionably Parliament would pledge itself to the appointment of four new bishops, if it passed this Bill as it now stood, because they had recited it in the preamble, though they took in the Bill no means to effect this; but he thought it would be better if it was left to be dealt with by a future Parliament. He should regret if such a proposal was carried as if by a side wind. It had been asked where were the petitions in favour of this measure, and from what did they collect the voices of the clergy and laity? Now, from the part he had taken in this question, he had been led to endeavour to ascertain what were the general views, and he had found that the opinion generally of the clergy and laity was unfavourable to the union of the two sees. His argument to those who were unfavourable to the union was, that it would tend to improve the livings of the poorer clergy; but the voice in answer was, "No, it will deal a blow to the church by taking away one of the bishoprics, and the harm done will far more than counterbalance the good which will be received by the Church. He found that 230 petitions had been presented against that union, of which a great part were from the clergy of the diocese. He would say it was of great importance, if they wished to support the religious Establishment of the country, that they should attend to the feelings of the clergy. He thought it was also of great importance that they should pass that portion of the Bill which prevented the union of the two sees—a measure which, if it took effect, would be a great disappointment to the Principality. The influence of episcopal superintendence was beneficial in preventing those minor differences which would arise in every church, and would acquire heat and acrimony but for the influence of the bishops. Never since the Reformation had such differences arisen in the Church of England as of late, as to whether there should be candles or candlesticks upon the table, and whether the surplice should be worn in the pulpit. He had detained the House longer than he had intended, and he would only say further, that he gave his support most cordially to the Motion for going into Committee on the Bill—whether the part of the preamble to which he had adverted should be retained might be considered in the Committee.

SIR R. H. INGLIS said, that his right hon. Friend who had last addressed the House stated some reasons for the omission of some parts of the preamble. He perhaps should not have differed from his right hon. Friend as to whether such parts should have been proposed; but having been proposed to the House, it would not leave the matter, by now omitting them, as it would have stood had the words not formed part of the Bill. He had listened with much attention to his hon. and learned Friend the Member for Winchester (Mr. B. Escott) who was

> "Everything by turns, but nothing long;"

and his hon. and learned Friend had told them, and that not for the first time in the course of the present Session, that the actual measure was the most important which had been brought forward during the Session; and that the last speech on his own side was the most able which he had heard. He must express his admiration at the amiability of the disposition of his hon. and learned Friend. [Mr. ESCOTT made an observation which was not heard in the gallery.] He stood corrected. His hon. and learned Friend had not said that it was the most important measure of the Session, but he said that it was the most important measure proposed in the present Parliament. He was, therefore, doubly at liberty to recall to the recollection of his hon. and learned Friend the course which he had taken with reference to a kindred subject, within the last three years, when it was proposed to create three bishoprics in another part of the world; the proposal to reduce the number from three to two was negatived by 124 to 17; and he would ask him, who constituted one of the majority, who were so earnest in favour of three new bishops? Amongst that majority stood the name of his hon. and learned Friend the Member for Winchester. The hon. and learned Member for Cockermouth (Mr. Horsman), fraternizing in his vote with those whose sentiments he did not acquiesce in, had referred to the principle upon which he thought Church legislation ought to be placed; which yet those, who now agreed with him in his present opposition, had always declined to support. But he did not rise to reply to those speeches: when he entered the House he did not hope or desire to catch the Speaker's eye; but the speech of his right hon. Friend the Member for Dorchester (Sir James Graham), rendered it impossible for him to remain silent. His right hon. Friend had said, that for all the purposes of the Church, with reference to spiritual aid, as well as to instruction of the people, the Church must look to itself alone; that it must not look to other resources than its own funds; and the right hon. Gentleman took some praise to the right hon. Gentleman the Member for Tamworth for the measure for 1843, which that right hon. Baronet, when Prime Minister, introduced in reference to Church funds. He stated that his impression then (and he repeated it now) was, that instead of making the State discharge its duty of providing funds for the religious instruction of the people, the Government merely shuffled the cards, and placed in the hands of the Church, for Church purposes, a portion of the Church property; but they did not call upon the State to discharge its duty to the Church and to the people, by providing from the general means of the State for the national religion. They merely enabled the ecclesiastical body to raise money on its own resources for ecclesiastical and spiritual purposes, just as they often enabled a lay proprietor to do for lay purposes. His right hon. Friend, however, did not always hold that the State ought to be sparing of the national resources for securing the object of instructing the people; for it did so happen, that, on one day at least in his life, his right hon. Friend had thought, or acted as if he thought, that the State had some duty to discharge in reference to the instruction of the people and to Church discipline and duties. It had so happened—and the coincidence was extraordinary, this being the 15th of July, 1847—that his right hon. Friend was willing to pledge himself, on the 15th of July, 1840, to a proposition to this effect:—

> "That this House is deeply impressed with a just sense of the many blessings which this country, by the favour of Divine Providence, has long enjoyed, and with the conviction that the religious and moral habits of the people are the most sure and firm foundation of national prosperity;"—

That his right hon. Friend was willing to state to Her Majesty, as the opinion of this House—

> "That no altered distribution of the revenues of the Established Church;"—

Not any shuffling as in 1843, or as might be in 1849; but his right hon. Friend pledged himself to the proposition—

> —"could remove the existing and augmenting evil, arising from the notorious fact, that an addition of more than 6,000,000 souls has been made to the population of England and Wales since the commencement of the present century; that the rate of this increase is rapidly progressive; that the grants made by the wisdom of Parliament, on the recommendation of the Crown, in 1818 and 1824, have been inadequate to supply the national wants; and that, though private and local liberality has been largely manifested in aid of particular districts, the greatest wants exist where there are the least means to meet and relieve them."

And his right hon. Friend was prepared

> —"to assure Her Majesty that this House, feeling that God has intrusted to this nation unexampled resources, is satisfied that it is the duty of the Government to employ an adequate portion of the wealth of the nation to relieve the spiritual destitution of large masses of the people, by whose labour that wealth has been enlarged; and humbly to represent to Her Majesty that this House will cheerfully make good such measures as Her Majesty may be pleased to recommend, in order to provide for her people in England and Wales further and full means of religious worship and instruction in the Established Church."

[Mr. HUME: The Motion was negatived.] That was true. His hon. Enemy—if he might so call him, in Church matters—had voted against him; and he then, as he had done now, uttered a stereotype speech, as he always did on these questions, in which he quoted—and he (Sir R. Inglis) dared say hon. Members could repeat it by heart—the Statute of Edward VI., and had, in short, made the same speech as he had made to-night, and which the hon. Member would go on making on future occasions when similar questions should arise. There was a somewhat more serious part of the subject which had been alluded to by the right hon. Baronet—that was with respect to the labours and duties of a bishop. He did think his right hon. Friend had placed at far too low a scale the amount of labour, as well as of responsibility, which attached to the duties of a bishop. He by no means underrated the labours of the clergy—he would not say working clergy; because he knew bishops who worked at least as much as any curate in the kingdom. He could hardly refer to such a man as the Bishop of Chester without stating that no individual, lay or spiritual, within his diocese, devoted more time, and, by the blessing of God, more successfully for the good of his fellow-creatures, than the Bishop of Chester. [An Hon. MEMBER:

Does the Bishop discharge his duties in Parliament ?] He would interrupt himself (as the hon. Gentleman had thought proper to interrupt him) so far as to state that if he knew anything of the principle upon which the Bishop of Chester acted in the discharge of his spiritual and ecclesiastical duties, he would not forego any fitting occasion for discharging those *quasi* temporal duties which devolved upon him as a Peer in Parliament. But his right hon. Friend (Sir J. Graham) stated upon the highest spiritual authority—he knew of none higher than the Bishop of Chester—that notwithstanding all the efforts that had been made of latter years to render church accommodation more commensurate with the wants of the people, they had not been kept up at all equal to the increasing exigency of the case. That was formerly his own conviction; and on one occasion the Bishop of Chester observed to him privately, that about ten years ago he entertained the same opinion; but, observed his Lordship, latterly there had been such an improvement in the spirit and exertions of the people, that, whereas in the year 1836 in his own county of Lancaster the number of the clergy to the population was as 1 to 4,500, it was now as one to 3,000. This was most satisfactory, and he believed it was the same through some other dioceses of England and Wales. The hon. Member for Winchester, asked, " Where were the petitions for this Bill ? Who asked for it ?" Now, with respect to that part of the Bill which separated the recently united bishoprics of St. Asaph and Bangor, for the last four or five years there had been petitions from every part of the country, from the two universities, and from a large body of clergymen, for the continuance of the two bishoprics. More than that, a large proportion of those petitioners prayed also for the creation specifically of this new bishopric of Manchester. He, therefore, felt that his noble Friend the Prime Minister of England had not only discharged the duty which he owed to the Church, as a consistent and conscientious member of it, but had carried out the wishes of the great body of those who were more interested in the matter. His hon. and learned Friend (Mr. Escott) had charged his right hon. Friend (Mr. Goulburn) with having said that the Dissenters had nothing to do with the subject, and that it was a matter of presumption for them to interfere. Now, all that his right hon. Friend said was this, that the members of the Church of England did not interfere with the discipline of any of the dissenting bodies; nor did they ask the dissenting bodies to give anything towards the endowment of this new bishopric. All that the friends of the Church asked was, to be permitted to apply the Church resources of England in such manner as the great body of the members of that Church might think proper. They asked nothing more than that they might, out of a portion of the fund which a few years since had been abstracted from the property devolved by the piety of past ages to the maintenance of the hierarchy of the Church of England, be allowed to endow a new bishop or bishops for such places as might require them. He rejoiced, not only that his noble Friend had proposed a substantive legislative enactment for creating a bishop of Manchester, but had proclaimed in the preamble of the Bill that there were other measures equally required for strengthening and extending the spiritual superintendence of the Church. Under these circumstances he could not help expressing the cordial satisfaction with which he received the first announcement of this measure, and declaring his intention to give it all the support in his power, consistently with the objection he entertained to that portion of the measure which deprived the new Bishop of a seat in the House of Peers. He was not willing to withdraw from the Crown its legitimate and constitutional right to create new spiritual Peers. Reserving, then, to himself the power of proposing the omission of that part of the Bill he should most readily support the Motion that the Speaker leave the Chair, for the purpose of going into Committee.

MR. STUART WORTLEY having given a notice of an Amendment in Committee, would not have troubled the House at present, but for the course which the debate had taken. Whatever he should say, he begged to assure the noble Lord would not be said in a spirit of hostility towards him or his Government. He gave the noble Lord the greatest credit for introducing this measure, with a view to strengthen the Church, and extend its beneficent influence among the people. The question to which the House must confine itself on this occasion, was as to the mode of disposing of a portion of the revenues of the Church itself. He thought the hon. Baronet (Sir R. Inglis) would be somewhat singular in his views, if he thought, at this time of day, it was possible to persuade this House to devote to any such purpose as that contemplated to be effected by this measure any portion of the public funds; and although his hon. Friend had cited what took place in 1840, yet he was greatly deceived in the character of his hon. Friend, if what had taken place during the last seven years had not had some effect on his mind. At all events, his hon. Friend had not renewed his Motion; it was fair, therefore, to assume that his own mind had undergone some change. With respect to the suggested Amendment by his right hon. Friend, he confessed he experienced some difficulty. He should have preferred that nothing had been said about the creation of three other additional bishoprics; but those words being in the Bill it was a difficult thing, as his hon. Friend the Member for the University of Oxford had said, to strike them out. But as the noble Lord at the head of the Government had distinctly stated that he did not mean to pledge the House to the creation of more than one bishop, he thought the difficulty which was now felt might be avoided by their consenting to withdraw the words from the Bill. He was one of those who was willing to allow the recent arrangement for the combination of the two bishoprics of St. Asaph and Bangor to stand. It was because he saw difficulties in the way of this debate, that he was anxious to abide by that arrangement. But he had to ask himself, under the peculiar circumstances under which this Bill was brought in, whether he could with propriety object to the restoration of those two sees; and the conclusion he had arrived at was, that he ought not to do so. He certainly hailed with satisfaction the attachment which had been displayed by the people towards those two bishops—an attachment which had ended in the proposition for repealing the union of those two sees. He was prepared to assist and support the noble Lord in the erection of the new see of Manchester, though certainly there might be a doubt whether it was expedient to have deprived the bishop of the right of a seat in Parliament. Knowing, however, that the establishment of the bishopric in the district of Manchester was regarded with great satisfaction, he was prepared to accede to the proposition as it was framed by the noble Lord. But he could not altogether accept the description which his right hon. Friend (Sir J. Graham) had given of the duties and influence of a bishop in his own diocese. He was the last man in the world to speak with the slightest disrespect of one whom he unfeignedly regarded (he meant the Archbishop of York) with veneration, and, he might say, with affection; but he was sure that even before old age laid its heavy hand upon him, that most rev. Prelate must have found that the duties of so large a diocese were by far too great for his exertions. It was within his knowledge, that in the district with which he was best acquainted, the inconvenience was felt of having a diocesan at so great a distance from them, and with such onerous duties to discharge. He was equally sure, that since the new Bishop of Ripon had come into that district, his activity and zeal, his freely mixing with his clergy, and his frank, friendly, and familiar communication with them, had had a most beneficial effect; it had stimulated the clergy, had encouraged their flocks, and had greatly tended to spread the creed of the Church. Under these considerations he cordially supported that part of the measure. But it was now with regret that he proceeded to point out those parts of it which he considered objectionable. The right hon. Gentleman the Member for Montgomery had shortly and cursorily alluded to the constitutional question which was now for the first time brought before the House, and which must now be discussed, viz., as to the new bishop not having a seat in Parliament. It was from a desire to avoid such a discussion that many of the friends of the Church were anxious that the arrangement with respect to the union of the sees of St. Asaph and Bangor should be adhered to. He could not help regretting that some other course had not been taken by the Government, and that the Bill had been exclusively confined to the creation of the Bishop of Manchester, without mentioning any other bishops, or anything about their not sitting in Parliament. He was quite sure, if the noble Lord had adopted that course, he might have passed the Bill; for the same support would have been given to him both on the Opposition side of the House and by his own Friends, whose combined strength would have been sufficient to carry the measure. The new bishop would have been created with a seat in the House of Lords, and the nation would have been satisfied. Since the Reformation the bishopric of Westminster had expired, and therefore the establishment of the bishopric of Manchester would not have increased the gross number of the bishops beyond what it was at that period. But, were the case otherwise, it was impossible that any reasonable objection could be taken to an addition to the number of bishops with reference to the bearing such a proceeding would have upon the proportion existing between the temporal and spiritual Peerage. Let the House observe how enormously the temporal Peerage had increased since a period not far removed from the Reformation. In the time of James I. the number of temporal Peers was 106; whilst now it amounted to 400. Under these circumstances the Government would not, he believed, have found any difficulty in establishing the bishopric of Manchester, with all the honours and privileges attached to the existing bishoprics. A rumour, however, had got abroad that the Government made a proposition to the bench of bishops to this effect—that they must either accept one bishopric with a seat in the House, or several bishops. It certainly was placing the bishops in a somewhat invidious position to submit such a proposition to them. He perceived that the right hon. Gentleman the Secretary for the Home Department shook his head; he knew not whether he was to take that as a denial that the proposition to which he had referred was made; all he would say was, that if made it was calculated to place the bishops in an invidious position; for if they had decided in favour of the single bishop with a seat in the House of Lords, they would have been open to the imputation of preferring temporalities to spirituality; and, on the other hand, if they had declared their preference for the establishment of several bishoprics, shorn of the customary honours, they would have been accused of compromising the rights of their order. The second clause of the Bill was open to a grave constitutional objection. That clause proposed to establish a system of rotation, which would exclude from the House of Lords not only a newly-created bishop, such as the Bishop of Manchester, but bishops who had enjoyed that honour since the Heptarchy. That was a great constitutional question. There could be no question that a bishop was a Peer to all intents and purposes, and that the right to sit and vote in the House of Lords was a privilege attached to his office, not to his person. That was not all: bishops were the representatives of the clergy, by whom they were originally elected. Subsequently the power of election was concentrated in the deans and chapters; and, finally, the power of appointment was vested in the Crown. A bishop, then, being the representative of his clergy, it would be deemed a great hardship that a Bishop of Manchester and a Bishop of Bodmin should have seats in the House of Lords, whilst two ancient bishops, such as Carlisle and Norwich, were excluded. Then, again, the Crown had the right of calling for the advice and assistance of the ancient bishops in council; but by the proposed arrangement the Crown might be debarred from summoning to its councils the Bishops of Carlisle and Norwich. That appeared to be a direct invasion of the prerogative of the Crown. Suppose Parliament were to limit the number of Marquesses or Earls in the House of Lords, that would unquestionably be an invasion of the prerogative of the Crown; but it would not be a greater invasion than the limitation of the number of bishops in the same assembly. The temporal Peers succeeded by heirship, and the bishops' succession was even better founded. The learned Selden maintained that bishops had the same right to sit in Parliament as temporal Peers; and, in reference to the proposition which, at a less happy period of our history than the present, was made, to deprive bishops of the right of voting, Selden observed, in effect, that

> —"if you take away their votes, that would be but a step towards taking themselves away; it would be the introduction of the small wimble to make way for the larger instrument, which would break up the material."

The system of rotation now proposed to be established would expose the bishops who had not the privilege of sitting in Parliament to invidious observations; and it was not improbable that, eventually, it would give rise to the question of the propriety of excluding the whole body from Parliament. The measure was defective in making no provision for the discharge of an essential part of a bishop's duties, namely, the jurisdiction which he exercised in his court. The creation of a bishop implied his right of holding a court; but how could he hold it if no provision were made for that purpose? It was unnecessary to dwell upon that point at that moment; it was to the constitutional part of the question that he attached the greatest importance. He could not help thinking, that if the present number of bishops were inadequate to the wants of the time, it would have been better to have created suffragan bishops under the provisions of the Statute of the 26th of Henry VIII. That Act originated with Cranmer; and it provided that any archbishop or bishop who should require assistance in his diocese might present to the Crown the names of two persons, one of whom the Crown was to select and present to the archbishop for consecration. Upon his consecration he became what was called in ancient times (long before the Reformation, as well as since that event) a "suffragan bishop" to the principal bishop. No suffragan bishop had been made since 1606. That they had not been appointed since, was sufficiently accounted for by the fact, that no provision was made for their sustentation—that their authority was co-existent with the Commission—that it might be withdrawn at any time—and that it died with him who gave it. It was not his intention to make any specific proposal on this subject; but he still thought it was a point well worthy of the attention of the noble Lord, the Government, and the bishops. He confessed that he felt great difficulty in acceding to the provisions of the Bill; but if the Government would consent to the omission of the words he had referred to in the preamble, and strike out the second clause altogether, he should willingly give them his support.

Mr. BERNAL OSBORNE expressed his surprise that no Member of the Government had attempted to answer the speech of the right hon. Baronet the Member for Dorchester. That right hon. Gentleman, by the judicious course he had taken on this question, had shown himself the real friend of the Church. He had placed the question on its true basis. He had said that there were certain surplus revenues in the hands of the Ecclesiastical Commission, and that the question before them was the best means of applying these for the interests of the Church. The right hon. Baronet had proved, to his satisfaction at least, that the most efficient way to increase the power of the Church of England, and promote the interests of its members, was not to give an additional bishop to Manchester, but to increase the number of the parochial clergy in that place. How stood the fact up to the present moment in the town of Manchester? He found it stated in the petition mentioned by the hon. Member for Manchester (Mr. M. Philips) that in that town there were thirty townships, consisting, he believed, of 400,000 people, and that out of those thirty townships seven were actually without churches or clergymen; and yet for a town thus situated, what did the First Lord of the Treasury propose? Did he propose an increase in the number of working clergy? An extension of the parochial system? No, he proposed a new Bishop of Manchester! In his opinion, the right hon. Gentleman the Member for Dorchester was entitled to the thanks of the Church of England, much more than the noble Lord, for arguing that the Legislature ought rather to increase the number of the parochial instead of the episcopal clergy. The only thing that surprised him in the right hon. Gentleman's speech was the declaration that he intended to vote for the Bill, although he would try to mutilate it so that it should not be the Bill of the noble Lord. The hon. Member for West Dorsetshire (Mr. Acland), in a speech which indicated the feelings they were accustomed to find in the tracts and publications of a certain section of the Church, gave credit to the First Minister of the Crown for having listened to the spontaneous action of the Church. Did the hon. Member consider, that what he called "the spontaneous action of the Church" was looked upon by many people as likely to lead to the spontaneous combustion of the Church? When he talked of his peculiar views of the province and office of a bishop, did he not consider that, if he carried his argument to its natural conclusion, he ought to move the removal of the bishops from the House of Lords? The hon. Member went to a certain point, but he refused to go further. Then, the noble Lord the Member for Liverpool, who represented another section of the Church—which was now split into so many parties that one hardly knew what the Church of England was—that noble Lord had asked, if they had a large army would they not increase the number of the generals? But he would ask in return, whether in such a case it would not be as wise to increase the number of commissioned and non-commissioned officers? and whether it was not just as necessary in the Church as in the Army that before appointing additional bishops, they should increase the efficiency of the Church by extending the parochial system? He must say that if any act of the Government could astonish him, he was astonished at the Bill then under consideration. It did seem to him an extraordinary thing that the noble Lord, who throughout the whole of his career in Opposition had always been coquetting with Dissenters, and who had always been looked upon as the great friend of civil and religious liberty, and the patron of Dissenters, should abandon them now that he was in office, and get up a flirtation with the Church. If the noble Lord was anxious to add to his fame by assuming the character of an ecclesiastical reformer, he was greatly mistaken if he did not fall a martyr to the cause in the city of London, which he now represented. He was greatly mistaken if the citizens of London did not look upon this Bill for giving a bishop to Manchester with suspicion. The noble Lord the Member for Liverpool (Lord Sandon), not contented with four new bishops, hoped that the time would come when every county in England would have a bishop; and no doubt some hon. Members would be disposed to go further, and say, that in every Railway Bill that passed there should be a provision for the appointment of a bishop for that railway. He must say that the Church of England had always shown herself disposed when they gave her an inch to take an ell. But he did hope that the citizens of London would see the propriety of sending the noble Lord to the retirement of some small borough, where he would have greater leisure to consider the question of having a bishop for every county, than he could have as one of the representatives of the metropolis. He feared they could place no faith in him as a Radical reformer, seeing the only thing he had abandoned in his doctrine of " finality " was in having no " finalty" in Church matters—no end to the creation of bishops.

Mr. T. DUNCOMBE said, that the only construction he could put upon the silence of Ministers on this occasion was, that they were ashamed of the Bill. [Lord J. Russell: I have already spoken.] He was aware that the noble Lord had spoken; but the noble Lord was not the whole Ministry. The noble Lord had complained of the present discussion and opposition after the division the other evening. Did the noble Lord forget that, before going to a division on the night referred to, the noble Lord asked him not to move the adjournment of the debate, because the debate could be resumed at a future stage of the Bill? And yet the noble Lord found fault with them for now continuing the debate. The noble Lord had also found fault with the hon. Member for Manchester for speaking against the Bill, on the part of the people of Manchester. He said it was too late for the people of Manchester to complain of the proposal of a new bishop, because the Bill of 1836 established a new bishop. That was quite true. That was undoubtedly the compact of 1836. But who had unsettled that compact? It was the noble Lord himself; and therefore the people of Manchester were quite right, when the compact was unsettled, to come and tell them that they would not, if possible, be insulted with a new bishop. He confessed his surprise to have heard no answer to the speech of the right hon. Baronet (Sir J. Graham). That speech was perfectly consistent on the part of the right hon. Baronet. The gist of his argument was that he would abide by the arrangement of 1836. It was originally recommended by the report of the Commission to which he belonged; but it was taken up by the noble Lord. The hon. Member for Winchester had reminded the House of the speech of his hon. and learned Friend the Member for Liskeard in 1836, wherein he asked by what species of insanity the noble Lord was alienating his friends by taking up that report of the right hon. Gentleman. But, then, his hon. and learned Friend went still further, and said "it was the unconscious fowl sitting on the crocodile's egg." Not that the noble Lord pledged the House to this creation of three more bishops; but he put them in the preamble of the Bill, and told them that in a future Session of Parliament it was his intention to create these three bishops. In his opinion the whole thing was a violation of the arrangement of 1836. At that time what they complained of was the creation of a new bishop; but they were told that they were quite wrong in objecting to the Bill. Lord Howick said that the Bill established a great principle—that it established the principle of their right to meddle with Church property; and that it was, therefore, most valuable to those who maintained that Church property was public property, as he (Mr. Duncombe) maintained that it was, and that any surplus ought to be applied to the relief of the church rates; but the noble Lord said at that time, "No, while there are any livings under 100*l*. a year, the whole of that surplus must be carried to the augmentation of those livings." Was that the case at that moment? Why, there were not fewer than 2,900 such livings. He had had many communications with most worthy clergymen on the subject. [*A laugh.*] Was there anything in that to excite the ridicule of hon. Gentlemen? He would give them a specimen of one of those communications; it was from a clergyman in Wales, who said—

> "I have reason to believe that it is in the contemplation of the Government to establish four new bishops, and that from the funds now at the disposal of the Ecclesiastical Commissioners. I do not intend to question the necessity of increasing that order, although by that increase the poorer clergy can only look for additional oppression."

["Hear, hear!"] Did hon. Gentleman cheer that?—

> "I consider it a great act of injustice to bestow so considerable an amount of Church money towards the endowment of these bishoprics, whilst I am the incumbent of a new district under Sir R. Peel's Act with the paltry stipend of 130*l.* per annum from the same funds. The district over which I have been placed since 1844 is of great extent, with a population of 5,000. My place of worship is crowded to overflowing, and my visits to the numerous poor and other expenses, such as lighting and fitting up my temporary church, &c., towards which the Commission gives no help, barely leave me 100*l.* a year. I have, thank God, a family of five children; and I believe that no order of men suffer more than poor clergymen struggling with a large family. They must keep up the appearance of their class, and to do that they cannot afford animal food more than once a week."

The simple question then was, whether persons in that situation of life ought not to be assisted by the surplus fund in the hands of the Commissioners, instead of that surplus going to create four new bishops? Again, it would give the Government more patronage, and he objected to it on that account. They had had patronage enough already. They had Railway Commissioners, Poor Law Commissioners, and now they were to have four new bishops. [Sir G. Grey: Three inspectors of collieries.] Yes! He asked for those inspectors for the protection of human life; but the Government refused them. They would have been useful and beneficial; but he maintained that the new bishops would not be so. He also objected to this Bill being brought in by a Government which had not the confidence of Parliament; and he believed the noble Lord would find that not many of the Liberal party would support him in it. He was satisfied that those who opposed the Bill were acting in conformity with public opinion, and for the public interests, and upon every stage of it he should give his decided vote against it.

Mr. AGLIONBY also opposed the Bill, and said no man more deserved the character of a sincere friend of the Church than the right hon. Member for Dorchester. He himself could state several instances of the hardships endured by clergymen in small livings. One instance was that of a clergyman who held the two livings of Wetherell and Walling, in Cumberland, receiving for the united parishes only 70*l.* a year, though he afterwards obtained an addition of 50*l.* from Queen Anne's Bounty. The living itself was in the hands of an ecclesiastical corporation, who did nothing whatever for the parish. In the parish of Escott, eight miles from Carlisle, the clergyman received only 50*l.* a year, and the remaining part of his slender income was derived from Queen Anne's Bounty. And yet in this very district the dean and chapter received 500*l.* or 600*l.* a year. Was it right in such a state of things to create new bishops, and leave the working clergy starving? He was fearful of the increase of territorial revenue to the bishops, and thought nothing could be more dangerous to the peace and safety of the country than such a proceeding. He would much rather see the bishops have money than land. A most careful scrutiny of the working of the Ecclesiastical Commission was required, and he would be glad to know if their scheme was not the possession of territorial property for the Church? He believed that such a scheme was on foot, though he would not now state what it was that led him to this conclusion. He could not say what had induced the Government to bring in this Bill, unless it was some sort of "pressure from without." For his part he would feel it to be his duty to take every legitimate opportunity of opposing the measure.

Mr. J. COLLETT would not long trespass on the attention of the House, but did not like to give a silent vote. He thought it strange that no Member of the Government had risen to defend the Bill against the attacks which had been made upon it. The noble Lord the Member for London said nothing about this Bill in his address to his constituents. It was rather too much to see him now coming forward as the avowed confederate of the Bishop of London. Indeed a measure of this kind should have been brought forward by a party connected with that of the noble Lord the Member for Lynn. Four bishops were to have been consolidated into two; but now it appeared they were to have four bishops out of eight. [The hon. Member read the resolution of the House of Commons in 1836 upon the

Appropriation Clause, and Lord John Russell's remarks upon that occasion in favour of the appropriation of the Church revenues to secular purposes.] It was true these remarks related to Ireland, but what was good for Ireland was good for England. He was in favour of the exclusion of bishops from the House of Lords, and wished the Government would, instead of this Bill, bring in that which he suggested. These were his ideas, whatever might be thought about them.

On the question that the words proposed to be left out stand part of the Question, the House divided:—Ayes 138; Noes 20: Majority 118.

List of the Ayes.

Acland, Sir T. D.
Acland, T. D.
Antrobus, E.
Austen, Col.
Barkly, H.
Baring, rt. hon. F. T.
Baring, T.
Barrington, Visct.
Bennet, P.
Bentinck, Lord G.
Blackburne, J. I.
Blakemore, R.
Boldero, H. G.
Borthwick, P.
Bowles, Adm.
Broadley, H.
Brown, W.
Buller, C.
Buller, E.
Buller, Sir J. Y.
Byng, rt. hon. G.
Carew, W. H. P.
Cavendish, hon. C. C.
Cholmondely, hon. H.
Christie, W. D.
Christopher, R. A.
Clayton, R. R.
Clive, Visct.
Clive, hon. R. H.
Corry, rt. hon. H.
Courtenay, Lord
Cowper, hon. W. F.
Craig, W. G.
Cripps, W.
Dalmeny, Lord
Denison, J. E.
Denison, E. B.
Dickinson, F. H.
Disraeli, B.
Douglas, J. D. S.
Duckworth, Sir J. T. B.
Duncombe, hon. O.
Dundas, Adm.
Dundas, Sir D.
Du Pre, C. G.
Ebrington, Visct.
Egerton, W. T.
Entwisle, W.
Estcourt, T. G. B.
Farnham, E. B.
Ferguson, Sir R. A.
Ferrand, W. B.
Forster, M.
Frewen, C. H.
Fuller, A. E.
Gaskell, J. M.
Gore, hon. R.
Goulburn, rt. hon. H.
Graham, rt. hon. Sir J.
Greene, T.
Grey, rt. hon. Sir G.
Hamilton, G. A.
Hatton, Capt. V.
Hawes, B.
Hayter, W. G.
Heathcote, Sir W.
Henley, J. W.
Herbert, rt. hon. S.
Hobhouse, rt. hn. Sir J.
Hodgson, F.
Hotham, Lord
Ingestre, Visct.
Inglis, Sir R. H.
Jermyn, Earl
Jervis, Sir J.
Johnstone, Sir J.
Jones, Capt.
Labouchere, rt. hn. H.
Langston, J. H.
Lascelles, hon. W. S.
Lefroy, A.
Le Marchant, Sir D.
Lindsay, Col.
Lowther, hon. Col.
Manners, Lord C. S.
Maule, rt. hon. F.
Meynell, Capt.
Milnes, R. M.
Moffatt, G.
Morpeth, Visct.
Morris, D.
Mundy, E. M.
Neeld, J.
Neville, R.
Newdegate, C. N.
Nicholl, rt. hon. J.
Norreys, Lord
Norreys, Sir D. J.
O'Brien, A. S.
Ogle, S. C. H.
Packe, C. W.
Palmer, R.
Palmer, G.
Palmerston, Visct.
Parker, J.
Patten, J. W.
Pennant, hon. Col.
Philipps, Sir R. B. P.
Pinney, W.
Plumptre, J. P.
Plumridge, Capt.
Price, Sir R.
Pulsford, R.
Repton, G. W. J.
Rich, H.
Richards, R.
Russell, Lord J.
Russell, Lord C. J. F.
Rutherfurd, A.
Ryder, hon. G. D.
Sandon, Visct.
Seymer, H. K.
Sheil, rt. hon. R. L.
Somerset, Lord G.
Somerville, Sir W. M.
Stuart, J.
Strutt, rt. hon. E.
Talbot, C. R. M.
Taylor, E.
Troubridge, Sir E. T.
Walker, R.
Walpole, S. H.
Ward, H. G.
Wilshere, W.
Wood, rt. hon. Sir C.
Wood, Col. T.
Wortley, hon. J. S.
Wynn, rt. hn. C. W. W.

TELLERS.

Tufnell, H.
Hill, Lord M.

List of the Noes.

Aglionby, H. A.
Aldam, W.
Bouverie, hon. E. P.
Brotherton, J.
Clements, Visct.
Collett, J.
D'Eyncourt, rt. hn. T.
Duke, Sir J.
Duncan, G.
Duncombe, T.
Escott, B.
Evans, Sir De L.
Heron, Sir R.
Hindley, C.
Horsman, E.
Molesworth, Sir W.
Osborne, R.
Thornely, T.
Wakley, T.
Williams, W.

TELLERS.

Hume, J.
Philips, M.

Question again proposed that the Speaker do now leave the chair.

Mr. HUME objected to proceeding further that night.

Mr. T. S. DUNCOMBE moved that the debate be adjourned. The vote at which they had then arrived was a disgraceful vote to a Liberal. [" Order!" " Chair!"]

Mr. SPEAKER said, that the House had pronounced a decision on the question submitted to them, and it was contrary to the respect due to the House that any one should call that a disgraceful vote.

Mr. ESCOTT rose to state, that the hon. Member for Finsbury had said, that the vote was disgraceful to a weak Administration.

Mr. T. S. DUNCOMBE considered the vote disgraceful to Gentlemen professing liberal principles. He saw several Gentlemen now present who formerly voted against the Bishops' Bill. The hon. Member for Lambeth had taken him to task for the vote that he had given; let that Gentleman account to his constituents for his own vote. [Mr. Hawes had not called the hon. Member for Finsbury to account for his vote.] The hon. Member for Lambeth had voted one way that night; but in 1836 his vote was directly the reverse. The vote, he would not say was disgraceful to the House; but it was disgraceful to those who were called Liberal Members—the others were perfectly consistent. It was said, that this measure was only the prelude to the endowment of the Roman Catholic priesthood. There was a rumour to that effect, and he wished to know from the noble Lord whether there was any foundation for such a rumour. The Maynooth grant was considered preliminary to endowment; he wanted to know whether they were to have anything more of that sort? He confessed that he thought the Protestant Dissenters had already been insulted sufficiently; and he could tell Ministers that if they carried that course of policy further, the House would receive numerous petitions from the Dissenters. He must now move that the debate be adjourned; he could not agree to the House going into Committee even *pro formâ.*

VISCOUNT CLEMENTS was ready to assent to putting off the debate. The Bill was a job, and he regretted that the Irish Members could not stop a job as readily as the English representatives could.

MR. AGLIONBY felt that the attack made on the Member for Lambeth by the Member for Finsbury was unjustifiable; he was sure it originated in a mistake, and was sure the hon. Member for Finsbury would not have used the language that he did had he not been labouring under a false impression.

LORD J. RUSSELL: I am glad that the House see the character of the opposition to this Bill. I beg the House to remark, that the debate having continued till near twelve o'clock at night, the House then divided—divided in the numbers of 138 to 20—and, having so decisively pronounced their opinion, I then proposed not to go on with the business, but that the House having decided that the question should be, "that the Speaker leave the chair," he should then leave the chair that the House might go into Committee *pro formâ*, and the chairman immediately report progress, in order that we might go effectually into Committee another day. So little was I disposed to hurry on this measure. The hon. Member for Finsbury then falls into a great passion with the majority that has voted against him, and when he is called to order by you, Sir, he quibbles out of that attack.

MR. B. OSBORNE: I rise to order. I wish to know if it is allowable, even in a Prime Minister, to tell an hon. Member that he quibbles?

MR. SPEAKER: Nothing irregular has fallen from the noble Lord.

LORD J. RUSSELL: The hon. Member says, this is disgraceful to a Liberal Administration; he falls foul of those who voted in favour of the Motion, and, seeing certainly that the elections are approaching, he endeavours to intimidate one of those who had voted with the majority, in the hope that that certainly not very great number of twenty as compared to 138, may by such means be made nearer to an equality on some other occasion. I only beg the House to mark that this will show the spirit in which the Bill is met. It has been remarked, that excepting during the short time when I addressed the House at the commencement of the discussion, the Members of the Government have not taken part in this debate. Why, one reason for that was, that the wish evidently was that the debate should continue as long as possible, in order that the House might not effectually go into Committee; and another reason was, that really what is the principle and main object of the Bill has not been objected to by those who have spoken against it. The bishopric of Manchester is founded by an Act of Parliament already passed, and it would require the repeal of that Act to prevent that bishopric being established; the question on this Bill is, whether you shall retain the two sees of St. Asaph and Bangor as separate sees; and really, in the way of objection to that proposition, I have heard scarcely a single word in the course of this debate. Therefore it was quite unnecessary for us to take part in the discussion. There have been very able speeches made with respect to points which may be discussed in Committee; I admit the ability of the speech of the right hon. Baronet (Sir J. Graham) and those of various other hon. Members; but I think when we go into Committee we can fairly discuss the points they have raised, and see what validity there is in the objections they have made. I do not oppose the Motion of the hon. Gentleman; it would come to exactly the same thing, whether we agree not to go into Committee to-night, or whether we agree that the debate be adjourned; the question will be the same to-morrow—"that you leave the chair." I only wish the House to see the spirit in which that Motion is made, and the way in which, in default of argument, this Bill is met.

Mr. ESCOTT said that, if the noble Lord had not himself set the example of using such an expression, he should not have now presumed to say that he thought that some part of his own remarks looked somewhat like quibbling and evasion; for if the object of this Bill was to make four new bishops, it was quibbling to say that it was only a Bill for the establishment of a bishopric at Manchester. He must say, too, that he thought the hon. Baronet (Sir R. Inglis) the Member for the University of Oxford, ought to be much obliged to his hon. Friend the Member for Finsbury for putting the question he had put with respect to the endowment of the Roman Catholic Church; for a Bill that would lead to that result was not one, he thought, which he, as Member for the University of Oxford, ought to be so very eager to support.

Mr. M. PHILIPS hoped hon. Members would consider whether it would not be better to let things remain as they were before, and then his constituents would earnestly desire that both the Welsh bishops might live to the age of Methuselah.

Sir G. GREY wished just to remark, that it was a mistake to suppose that the House would be in the slightest degree pledged, even if the Bill passed in its present state, to the establishment of more than one bishopric: with respect to the others, it would be perfectly open to Parliament to take its own course. With regard to the rumour to which an hon. Member (Mr. Escott) seemed to attach such grave importance, he had to state that his noble Friend did not advert to it, because he thought it so utterly absurd that he did not suppose the credulity of any hon. Member would lead him to regard it as having the slightest foundation.

Debate adjourned.

House adjourned at half-past Twelve to Three o'clock.

HOUSE OF LORDS,

Friday, July 16, 1847.

Minutes.] Public Bills.—2^{a} Highway Rates; New Zealand (No. 2); Canal Companies; Destitute Persons (Ireland, No. 3); Militia Pay; Copyright (Colonies); Public Works and Drainage (Ireland); Constabulary Force (Ireland); London Bridge Approaches.

Reported.—Mussel Fisheries (Scotland); Post Office; Navigation (No. 2); Recovery of Public Monies (Ireland).

3^{a} and passed:—Copyhold Commission; Holyhead Harbour; Compensation for Damages (Ireland); Drainage of Lands (Ireland); Stock in Trade (Exemption); Joint Stock Companies; Polling at Elections (Ireland).

Petitions Presented. From Southampton, for Alteration and Amendment of the Bankruptcy and Insolvency Act.—From William Morton, a Prisoner in the Queen's Bench, for Alleged Contempt of the Court of Chancery, for Relief.—By Lord Brougham, from Robert Owen, for the Appointment of a Committee to Investigate his Plans for Ameliorating the Social Condition of Mankind.—From Rathbarren, Sligo, for the Adoption of a more Extended System of Colonisation for the Relief of the Present Distress in Ireland.—From Plymouth, and other places, for the Enactment of Sanitary Measures.

HOUSE OF COMMONS,

Friday, July 16, 1847.

Minutes.] New Member Sworn.—For Cork County, Maurice Power, Esq.

Public Bills.—2^{o} Ecclesiastical Jurisdiction Amendment.

Reported. — Consolidated Fund (Appropriation); Fever Hospitals.

3^{o} and passed:—Commons Inclosure (No. 3).

Petitions Presented. By Viscount Morpeth, from Guardians of the Skipton Union (York), for Alteration of the Marriages Act; and from several places, in favour of the Roman Catholic Relief Bill.—By Sir De L. Evans, from Westminster, for Inquiry respecting the Rajah of Sattara.—By Mr. Hume, from Merchants, Proprietors, and other Inhabitants of the Island of Trinidad, for a Legislative Assembly.—By Viscount Morpeth, from Otley, Yorkshire, for Regulating the Qualification of Chemists and Druggists.—From Directors and Members of the Wilsden Mechanics' Institution, in favour of the Corresponding Societies and Lecture Rooms Bill (1846).—By Viscount Morpeth, from various Dissenting Congregations, against the Proposed Plan of Education; from Ministers and Churchwardens of the Parish Church of Eccles, Lancashire, in favour of the same; from Board of Guardians of the Todmorden Union, respecting the Prevention of Fever; from several places in Yorkshire, in favour of the Health of Towns Bill; from Barkston Ash, Yorkshire, in favour of the Juvenile Offenders Bill; from Medical Practitioners of Bingley, in favour of the Medical Registration and Medical Law Amendment Bill; and from Southampton, for Alteration of the Municipal Corporations Act.

PARLIAMENTARY ELECTORS BILL.

Mr. NEWDEGATE called the attention of the House to the fact that there was an error in the List of the Division on the Second Reading of the Parliamentary Electors Bill on Wednesday. The Ayes in the new lobby were stated to have been 52; whereas, on an examination of the list of names, it appeared that the number should have been 53. He moved that the entry in the Votes of the Proceedings of the House of 14th July on the Parliamentary Electors Bill be now read.

Mr. SPEAKER said, all the tellers must join in a statement that they were satisfied an error had been committed before it could be rectified.

Sir De L. EVANS had relied on the Member for Warwickshire (Mr. Newdegate), who was one of the tellers, and repeated the numbers after him; he must leave the matter entirely in the hands of the House.

Mr. B. DENISON thought, before the tellers could agree that an error had been made, that they must ascertain whether that was the fact or not.

Sir B. HALL, as one of the tellers, would acquiesce in any agreement between the hon. Member for Warwickshire and the hon. and gallant General as to what the numbers were.

Motion, by leave, withdrawn.

PORTUGAL.

On the Order of the Day for receiving the Report on the Consolidated Fund (Appropriation) Bill,

Mr. B. OSBORNE rose to put a question to the noble Lord at the head of the Government, in the absence of the noble Lord the Secretary for Foreign Affairs, which would, he thought, be admitted to be of some importance, since the honour of this country was concerned. It would be in the recollection of the noble Lord, that by the second article in the convention or treaty between the Queen of Portugal and the Portuguese people, the Queen and her Government engaged themselves to pass an immediate revocation of the decrees suspending the liberty of the subject and the liberty of the press in that country. He found by the last *Diario* of Lisbon, that a decree had been issued by the Queen, in which she continued the suspension of the liberty of the press and of the guarantees to individuals for an indefinite period. He wished, therefore, to know from the noble Lord if he was aware of this; and if, on the part of the Government, he would be prepared to take any steps of remonstrance with the Queen of Portugal on that account?

Lord J. RUSSELL replied: I am aware of the fact that the decrees mentioned by the hon. Gentleman have not been finally revoked, and that for the present they are continued. The hon. Gentleman, however, must know that the protocol—the agreement in which was to be the condition of the revocation—was accepted by the Queen, and rejected by the Junta. With regard to what has now been done, I have not seen the last decree, continuing the suspension of the ordinary liberty; but I can have no doubt that it is merely temporary in its character, and that it has only been issued until some general measure has been decided on by the Government of Portugal.

Mr. B. OSBORNE wished, then, to ask another question. Was it true that the French and Spanish Ministers at the Court of Lisbon had entered a protest on the part of their respective Governments against the convention drawn up by Colonel Wylde?

Lord J. RUSSELL: They have objected to the convention.

METROPOLITAN IMPROVEMENTS.

Sir R. H. INGLIS desired to be informed by his noble Friend what hope there was of the measure with respect to the Chelsea embankments, recommended unanimously by the Improvement Commissioners, sanctioned by the Lords of the Treasury, and strengthened by a vote of 20,000*l.*, being proceeded with in the course of the present year? He wished also to know if the offer made by the Duke of Bedford to carry forward the improvements of Covent Garden had been permanently rejected; and if the second offer made by the Duke of Grafton would meet the same fate? It was to be regretted that the munificent liberality of the Duke of Bedford, in proposing to defray incumbrances, and to lend the sum of 42,000*l.*, at an interest of 4½ per cent, had been suffered to pass by the Government; and the only possible reason for rejecting such offers must have been in the circumstance that they proceeded from the relative of the noble Lord. Would the noble Lord now state if it was within his moral competence, as certainly it was within his legal competence, to accept the proposition which had since been made to effect the improvements in question, which had the complete approval of the Commissioners?

Viscount MORPETH, in reply to the first question, had to state, that the delay which at first arose in prosecuting the works connected with the Chelsea embankments resulted from obstacles found in the Act, which prohibited the commencement of the work until certain agreements had been entered into on the part of the proprietors and owners of the land abutting on the Thames. Negotiations with those proprietors had been entered into; but the attention of the law officers attached to his (Lord Morpeth's) department had recently been so completely taken up with important Bills under discussion in the House, that they had been unable to facilitate the prosecution of this desirable undertaking. For the future, however, he could assure the hon. Baronet that no effort would be wanting to expedite the business.

Lord J. RUSSELL, in reply to the second question, stated, that though the hon. Baronet was correct as to the facts, he had drawn a wrong inference in supposing the Government had any legal power to accept the offers which had been made. They had taken into consideration the amount which the coal duties were at present charged, and they could not have effected the improvements suggested without subjecting those duties to a considerably increased charge. It would further have been necessary to introduce a Bill for that purpose; and in and out of office he had always heard the opinion expressed that this was a decidedly objectionable source from which to derive the money. His right hon. Friend the Chancellor of the Exchequer had discussed the matter with him; they considered the question fairly and impartially; and it was from no fear of being attacked for undue favour to his relative, but because of the general principle involved, that he had rejected the offer. The same answer, therefore, would be given to the Duke of Grafton.

Sir R. H. INGLIS did not consider it would have been conferring any undue favour to accept the terms of the Duke of Bedford.

THE LATE SIR E. WILMOT.

Sir C. DOUGLAS called the attention of the noble Lord to the case of the late Sir E. Wilmot, and read several documents forwarded from Van Diemen's Land, attesting to the general feeling among the inhabitants of the colony of the injustice of the charges urged against the late Governor. The family of Sir E. Wilmot had received the highest satisfaction from the tone of the debate on this subject on a recent occasion; and, in conclusion, put it to the noble Lord, if it would not be possible to intercede with the Crown, and obtain for the son of the unfortunate gentleman some such mark of favour as would be looked upon in the light of reparation for the injury which had been done?

Lord J. RUSSELL did not think there was any public ground requiring the further interference of the House in the present case. He believed the son of the late Governor, the present Sir Eardley Wilmot, to be, both on account of character and intelligence, a very deserving person; but he could not in the least promise to fetter the discretion of the Crown in the matter.

THE RAJAH OF SATTARA.

On the question that the Report on the Consolidation Fund Appropriation Bill be now received,

Mr. HUME: Mr. Speaker, Sir, I am compelled again to trouble the House with a few observations respecting the case of the Rajah of Sattara. I am quite aware the question has been several times before the House; but I can quite understand that if any man has been guilty of an act of oppression or tyranny, he does not like the subject to be mentioned at any future time; and if a man is in possession of an estate through the instrumentality of false documents or forged title-deeds, he is the last man to wish to have his deeds examined. Now, I really believe that the case of the Rajah of Sattara is exactly one of that character. He has been deprived of his throne; he has been treated most unjustly; he has been removed from his station by forgery and by subornation of perjury, and a most vile conspiracy. Now that being the case, I can make every allowance for those who have been concerned in sanctioning, in utter ignorance I believe of the real facts, the course of oppression which has taken place. But my only object now is to give such answer as I can to certain statements that were made in answer to my former speech, and in vindication of the proceedings. I do not intend to go out of that line which I have marked out, by which I shall be able to contradict in the stronges tmanner almost every allegation which has been made in vindication of the proceedings; and I mean to confine myself entirely to the case. I hope the House will have patience (I shall be as short as possible), as this is a question of great importance, involving the character of the Court of Directors and of the British Government, and involving also the fate of an individual who I think has been most unjustly treated, and is now an exile. In such a case I may be excused for presuming a little on the time of the House. Now, Sir, the first allegation against my proceeding that was made by the President of the Board of Control was this: he stated that I had alleged that the Rajah of Sattara was an independent prince; but the truth was that he was not an independent prince. It will be recollected that the right hon. Gentleman said that the Rajah was born in a prison—that he was a prisoner—and placed in that situation as a dependant on the British Government. I beg to say that is wholly incorrect; that he is a descendant of the Peishwa in the Government; that all honours, rewards, and grants conferred before 1817—everything was done in the name of the Rajah by the

Peishwa, who usurped his authority; and that he was treated as a sovereign from the moment he was escorted by the British troops to Sattara, where he was installed in great pomp as the Rajah of Sattara. I give this as a contradiction of one thing stated by the right hon. Baronet at the head of the Board of Control. But I will put another extraordinary case. In former debates it has been held, that the offence on the part of the Rajah was a political offence, and that as a sovereign offending against the treaty with England, he had no right to be tried as an ordinary man. If, therefore, the right hon. Baronet and Her Majesty's Government declare that he is not a sovereign, and never was a sovereign; and the hon. Gentleman the late Chairman of the Court of Directors said he was a dependant and a prisoner—if he was not a sovereign, then let him have the trial of a subject. The very reason assigned on former occasions was, "We do not think that his case comes within the conditions of being tried in the regular way, because he was a sovereign." If the right hon. Baronet declares that he is not a sovereign, then I ask justice for him as a subject. I hold in my hand the treaty concluded with him, under which he was maintained for twenty-one years as an independent prince, treated with all honours, and considered to be a pattern for all princes in India under similar circumstances; therefore, I do think it is too much to tell us at the eleventh hour, that he is not entitled to that consideration. Sir, I also beg to state that the right hon. Baronet, in speaking of the character of the Rajah, gave the reports of two Residents, who called the Rajah a "sly and cunning" man, being reports of him as a boy before he was well established on the throne. My answer to the right hon. Baronet is this, that the Court of Directors, the year before he was deposed, sent out a letter with the sanction of the President of the Board of Control, declaring him to be a model to princes in India; and on that account sent him a sword, with every testimony of respect and regard. On these grounds it does appear to me, that the allegations made by the right hon. Gentleman, in that respect, are altogether without foundation. Sir, the second allegation is, that Captain Grant Duff, under whose charge the Rajah thus raised to the throne was placed, reported to the Governor to the effect, that, in contrast with the Rajah's good qualities, he was very sly. But the right hon. Baronet, I must be allowed to state, ought to have been just in reading the preceding sentences of that very letter:—

> "At all times when I have had occasion to ask explanation of anything that appeared improper, the Rajah has shown a very uncommon degree of candour. I have never discovered his having told me a direct falsehood, although he has several times acted contrary to my injunctions, and when I know it must have caused him an effort to avow what he had done. On the whole, his disposition for a native, is remarkably good. He is really grateful for what our Government has done for him; and at present, I do believe, fully intends to act at all times as he may be advised."

Then follows that single line which the right hon. Baronet quoted—

> "Opposed to the Rajah's good qualities, he is very sly; and this he mistakes for wisdom."

This was read, and not the other part which I have read. It does, therefore, appear to me there was not that candour and fairness shown which might have been expected. Now, Sir, the same officer, Captain Grant Duff, who was the first Resident at Sattara, speaking of the present Rajah—the man whom we have placed upon the throne—after giving the highest character to one who has been deposed, adds—

> "The name of the Rajah's younger brother is Sevajee, familiarly Appa Sahib. He is an obstinate and ill-disposed lad, with very low, vicious habits, which all the admonitions of the Rajah (the dethroned Prince) cannot get the better of."

This is the man whom we have taken from obscurity, and placed in the situation of a model prince, to whom the Court of Directors and the right hon. Baronet sent a sword, accompanied with the very highest commendation of his conduct. I hope, therefore, the second assertion is met. Sir, the third assertion was, that General Briggs had given an opinion unfavourable to the Rajah. Now, I must say, that the extract which has been given is garbled from a manuscript. That manuscript has never been printed—the extract was garbled from a manuscript—and the words immediately following those quoted by the right hon. Baronet, are decidedly in favour of the Rajah; and the Government should produce the entire document. General Briggs' opinion was founded on a report made to him by Abba Josee, who was the friend of Ballajee Punt Nathoo; in fact, he deserves the highest commendations. I therefore do hope that the right hon. Gentleman will not allow a garbled extract of that kind to run in opposition to what I quoted as the words of General Briggs, upon due consideration of the case. Sir, I think some hon. Members may not recollect the words which the right hon. Gentleman, in December, 1835, testified respecting the Rajah. This is a letter from the Court of Directors, and from the Board of Control also, saying—

> "We have been highly gratified by the information from time to time transmitted to us by our Government, on the subject of your Highness's exemplary fulfilment of the duties of that elevated situation in which it has pleased Providence to place you."

I have read this before; but it is so necessary to meet the allegations of the hon. Baronet (Sir J. W. Hogg), not now here, that I think it just—for I want nothing but justice—that the facts should be fairly known; and then I have no hesitation in saying, that the House will join with me in demanding justice. They say—

> "A course of conduct so suitable to your Highness's exalted station, and so well calculated to promote the prosperity of your dominions, and the happiness of your people, as that which you have wisely and uniformly pursued," [for seventeen years and a half,] "while it reflects the highest honour on your character, has imparted to our minds feelings of unqualified satisfaction and pleasure. The liberality also which you have displayed in executing, at your own cost, various public works of great utility, and which has so justly raised your reputation in the eyes of the princes and people of India, gives you an additional claim to our approbation, respect, and applause."

He is the only native who has taken an interest in educating the people; and yet this is the man who has been dethroned and degraded. Sir, to show the opinion that was held at that time of the whole of this inquiry from the beginning, I alluded on a former occasion to a letter from the Court of Directors to the General Court in the year 1836, in which they say—

> "We hope and trust that the orders of the Governor General have been, long before this, fully complied with by you," [to put an end to the absurd inquiry going on.] "In this belief, we suspend our judgment on these proceedings, till we are in possession of that of the Supreme Government. At the same time, we have no hesitation in giving, as our decided opinion, that it would be not only a waste of time, but seriously detrimental to the character of our Government, to carry on any further inquiry in the matter."

I therefore hope that I have satisfied the House as regards that assertion, that there is no just ground for it. Sir, another assertion, and I regret the hon. Baronet (Sir J. W. Hogg) is not in his place, was, that General Robertson was aware of the Rajah's intrigues with Goa. I am almost ashamed to venture on the word Goa, because the assertion regarding Goa has been treated by the right hon. Gentleman as too absurd to be considered a serious charge. General Robertson, who lived for several years in charge of the Rajah, that is, as Resident at his Court, and consequently had an opportunity of knowing him, was misled by the report of the inquiry, with many others; but on the 12th of February, 1840, he said at the India House—

> "I discharge only a bare act of justice to the Rajah of Sattara, in declaring that during a period of nearly five years that I was Resident at his Court, I never saw any disposition on his part to think lightly of his engagement with the Company, or evince aught but gratitude for the advantages which had been conferred upon him; and I may safely say, that nothing occurred whilst I was there which gave rise to any dissatisfaction either on my part, or that of the Rajah."

General Robertson then proceeds to notice the charge which has been made against the Rajah; but I think I have done enough in stating that single paragraph; and the whole of the despatch is to the same effect. To bring General Robertson's testimony, therefore, against the Rajah, does appear to me very unfair, and not consistent with the fact. Sir, another assertion was, that General Lodwick believed the charge of corrupting the sepoys, until he got home and made a speech at the India House. Now, it is very unfair to that gallant officer to make such a statement, because that gallant officer has stated (and he also was a Resident at Sattara) that at first he was deceived by the artful manner in which the forgery and conspiracy had been got up. But he very soon discovered it; and he states that long before the Commission sat, his suspicions were awakened; and the evidence of the soubahdars before the Commission confirmed him in the opinion that they had perjured themselves. His change of opinion was not first declared at the India House, but in a memorial to the Directors, written from Bombay in June, 1837; and two others from his country house in England before he came before the Court of Directors. That memorial is printed and on the Table; therefore his testimony cannot fairly be quoted by the right hon. Baronet the late Chairman, and that assertion falls to the ground entirely. Sir, another assertion in the speech of the right hon. Baronet was this. He read a long paper purporting to be a correspondence, to prove treason on the part of the

Rajah. This was a letter from his Agent at Bombay, giving him the news of the day, and nothing more; and this he asserts to have been proof of treachery. Why, this is the most ridiculous charge that possibly can be. I will only read one or two words. This is the letter that the late Chairman read:—"Translation of extracts from copies of letters from Rungoba at Bombay, in September, 1838." Amongst other things, he gives the news of Neepalwala; he gives the news of the treaty concluded between Rujeet Sing and the English; and he says that such are the news, but whether they are true or false, cannot be stated. This is the trifling stuff which the hon. Baronet has brought forward. Let me tell you that this letter is one of those which were intercepted. There was not a single paper allowed to be transmitted, even by his own servants, from England or any other part of the world, without being intercepted and examined, after they had determined to remove him. While he was allowed to remain a sovereign prince, every correspondence between his own servants at Bombay and other places was intercepted, in order, if possible, to get materials against him. This is one of the wretched resources to inculpate him which entirely failed. He says, "various sorts of stories are told." He is just giving him the news, which I apprehend may be given by every resident. The right hon. Baronet knows that a news writer collects everything he can to fill his paper, whether it is true or false; and the most wretched stuff is very often put into it. This is the way he concludes a number of his letters:—

> "What have I to do with this political affair? But as I have stated the facts above mentioned by the Sahib, I have written this matter which has come to my hearing."

This is a document which was read by the hon. Baronet, not now present, with a view to impeach the conduct of the Rajah, and to prove him guilty of treason. Now, Sir, the next assertion of the right hon. Baronet is one of much more importance. It is, that the Rajah had an opportunity of defence afforded him, and that he had a trial. Now, I take upon myself to say, in the most emphatic way, that it is impossible for any man to state that the Rajah ever had a trial. Twenty-four days were occupied in a secret Commission, and twice he was called in and heard parts of the evidence read to him; and his answer was, "Give me a copy of the charges made against me, and I will be ready to answer them." So far from that being done upon this improper proceeding—I will not call it by any other name, as the right hon. Baronet seems to consider that any attack upon a public servant is wrong—I will only say that Sir Robert Grant, upon whom so much depends, in a Minute of the 31st May, 1838, declares—

> "I repeat the opinion, not meaning that there should be merely the form or farce of a trial, to be closed by a ready-made judgment, but that the defence should be fairly heard and impartially weighed."

So satisfied were they of that, that Colonel Ovans reports to this effect:—

> "His Highness evinced throughout the whole of this interview, which lasted about three hours, the utmost readiness and self-possession; he was at first embarrassed, but it was only the embarrassment natural to a person in his situation. Latterly, he argued with clearness and acuteness, took notes, and asked questions; and certainly did not evince the slightest appearance of aberration of mind. He requested a Mahratta copy of so much of the depositions of the two soubahdars and the Brahmin as affected himself, which was not at the time objected to.

Now, I beg the right hon. Baronet to bear in mind that the evidence was taken in English; it was translated into Hindostanee, and read to him in Hindostanee. He said, "I am a Mahratta; give me the charges against me in Mahratta, and I shall be ready to answer them." This was on the thirteenth day. Will the House believe that afterwards, when the Rajah applied for a copy of the evidence thus promised him, he was refused it? And what is Colonel Ovans's answer?—

> "The only observations I feel called upon to make"—[this is a letter to the Government of Bombay]—"are with reference to what is stated in the third paragraph of his Highness's yad, on the subject of copies of the evidence taken before the Commission not having been given to him, and two of the members not having waited upon him before their departure from Sattara. As regards this, I beg leave respectfully to state, that the proceedings of the Commission being strictly secret, it did not consider itself"—[that is to say, the Commission]—"authorized to grant a copy of any part of those proceedings to any person whatsoever; and with respect to the two members not waiting upon his Highness, it was evidently expedient to avoid any ceremony of this kind, considering the circumstances under which the Rajah was then placed."

Here, therefore, is a contradiction which I make in the fullest sense, and shall be able to prove by Colonel Ovans. Let Colonel Ovans be called, and he shall prove if his own documents are not sufficient, that the Rajah has never been tried; that he has never been heard; that he was promised a copy of the charges against him; that he never did get it; and there is a report of Colonel Ovans's saying, that because the inquiry was secret, the Rajah could not have it. Now, if he was a prince, I repeat at any rate he ought to have had a copy of the charges that were made against him. If he was not an independent sovereign, let him have the common justice to which every peasant in the land is entitled. I think that will satisfy the right hon. Gentleman that he is under some mistake. Now, Sir, the seventh assertion was, that Messrs. Grant, Farish, and Anderson were convinced of the Rajah's guilt. I believe that before a great many of these things were discovered, and before the proof of the manufacture of these papers, they did believe the Rajah was guilty. But what I venture to say to the right hon. Baronet is, we ask for inquiry. Mr. Farish and Mr. Anderson are now alive. Sir Robert Grant is dead. We will prove, by the evidence of Mr. Anderson himself, the complete innocence of the Rajah, in regard to these charges which were trumped up against him. As regards Mr. Anderson, he is now, I understand, in town; and I shall be very glad to have him as a witness. To the next circumstance I have to bring forward, I beg the particular attention of the House; because, both the hon. Gentlemen denied it in the most emphatic manner. I stated that the Rajah had been taken from Sattara after his dethronement, and marched with a body of troops from his palace in the night. I read a paper in which it was stated that he was taken from his bed, put into a palanquin, and sent away. Now, mark what the right hon. Baronet stated, and which the hon. Baronet confirmed when I alleged that he was taken away from his palace and lodged in a place where cattle had been formerly kept. His answer was, that the Rajah had been taken to his country house. Why, Sir, the Rajah had no country house. I am prepared to prove that he had no country house, and that it is an utterly false statement to say that he had. He was taken and placed immediately in tents; he never was out of the tents from the moment he was taken from his palace until he arrived at Benares. I will not read the paper, because the right hon. Gentleman seemed to think it was an accusation made to work upon old women at public meetings. I have in my possession a letter from an officer who was police magistrate there, who commanded a party of police that went up with the regiment to surround the palace; and I have his authority for saying it. I shall be able to prove the whole of the facts I have stated, and, to show that there is some truth in the latter part of the statement, even from the documents themselves in the India House. When the report came home that the Rajah had been treated in a very unbecoming manner and with harshness, the Court of Directors sent this letter:—

> "Political Despatch to the Government of Bombay, 2nd September, No. 16, 1840. We regret to learn the death of Balla Sahib Senaputtee while accompanying the ex-Rajah on his way to Benares."

Sahib Senaputtee, I must mention, was the commanding officer of the regiment who was allowed to die; for they would not stop one hour. The right hon. Baronet himself read the statement of Colonel Ovans. That was made when these facts came out. There are five individuals now in London who accompanied the Rajah, who will prove all these statements; and the right hon. Baronet shall be undeceived if he will agree to a Committee, a Commission, or an inquiry. The despatch was signed by Mr. Bayley and Mr. George Lyall; Mr. Bayley was Chairman, and Mr. Lyall, Deputy Chairman:—

> "We regret to learn the death of Balla Sahib Senaputtee, while accompanying the ex-Rajah on his way to Benares. We cannot pass without an expression of our serious displeasure the following statement by Lieutenant Cristall, the officer in charge of the ex-Rajah."

Here is the officer's statement in charge of the Rajah:—

> "He (the Senaputtee) had been unwell it appears a few hours before leaving our last ground; but I received no intelligence of his illness until yesterday mid-day, when several of the Rajah's people waited on me, requesting a halt, as the Senaputtee was in so dangerous a state that he could not be moved. I gave a denial to the request, imagining it only an excuse for loitering on the road, knowing by experience how great is their dislike to our system of continuing the journey on which we are bound. The tents, &c. which are daily sent in advance, were accordingly despatched; but at 3 o'clock, p.m. the Carcoons and others of the ex-Rajah's people came to me, with the news of the Senaputtee's death."

Now that is the officer's own statement. The Court of Directors, in noticing it, say in paragraph 4—

> "We cannot consider Lieutenant Cristall to have been justified in taking for granted that the representation of the Senaputtee's unfitness to travel was without foundation. In the absence of the medical officer, he ought either to have consented to the halt, or to have requested a personal interview with the patient, and formed his

> judgment thereupon. We desire that the sentiments we have expressed may be communicated to Lieutenant Cristall."

Now, Sir, I could multiply the evidence to that effect, but here is the evidence of the Court of Directors; and I am sorry to be obliged to say even so much; but I am anxious to undeceive the right hon. Baronet, who I really believe is ignorant of the merits of the case, and will not give us credit who have examined impartially and judged from the documents themselves. Now, Sir, there is only one other point to which I wish to allude, I do not intend to go beyond the strict notice I have given. A dispute arose on the last occasion, respecting the conduct of Colonel Ovans towards Govind Rao. The name of Mr. Hutt was introduced, and I wish the House to understand what that transaction is. I am not going to blame Mr. Spooner, or Mr. Hutt, more than as officers employed in carrying out the orders of the Court. They carried out the orders of the Court, and I do not blame them; and I never meant to blame them. But what was the fact? Mr. Grant said—

> "Govind Rao, we believe to be a conspirator with the Rajah, and we will ask him to deliver up his Minister. If he delivers up his Minister immediately, it will be strongly in favour of his being innocent of any charge; but if he refuses to give up his Minister, we shall consider that it implicates him to a certain degree in the charge."

The charge was made by the Resident to the Rajah in the palace. The Rajah said, "No such thing can take place; send for Govind Rao." He was sent for from his own house—he came to the palace; and the Rajah said, "There is a charge against you of having plotted against the British Government — proceed immediately with the English guard—they are going to put you in prison—they are going to examine you—I desire that you proceed immediately." He gave up his Prime Minister —and what took place? They immediately marched him to prison—I will not say it was a dungeon—it was a place where ammunition had been kept. They immediately sent and seized the whole of his papers in his own house, and brought them forward; and they kept the man for weeks together without being able to obtain any evidence whatever against him; and then Colonel Ovans recommended the Government to send him away. He said, as long as he remains here we shall not get any confession from him; but if you will send him to a place where he can be kept solitary, and inform him that he must confess himself to be guilty of treason, we may expect something. Now, Sir, Colonel Ovans writes to the Bombay Government, after he had kept him for weeks with all his papers in his possession, without being able to find one iota of charge against him—Colonel Ovans writes to the Bombay Government on the 24th of June, and says—

> "The circumstance of the removal of Govind Rao from gaol at Poonah to a more comfortable residence, and his confinement being lately made less severe in other respects, leads the Rajah and his advisers to confide in the accuracy of these accounts from Bombay; all the letters received from thence are sent to the Dewan, and thus he himself, as well as his family, are buoyed up with the false hope of his speedy release."

Now, let hon. Members consider what would have been the result if Lord Melbourne, the First Minister of the Crown, should have been accused of improper proceedings, and should have been sent for to the Palace, and immediately, without any opportunity of returning to his own house, have been sent off to gaol, and all papers connected with him in his own house, and every evidence that could possibly be brought against him, seized for the purpose of bearing out a charge. After weeks had elapsed, with the power they possess, and under the circumstances which the hon. Member for Edinburgh has stated, showing how easy it is to get evidence against a man who appears to be devoted by the Government in India, they could not get any evidence against the Dewan. Then what did Colonel Ovans report?—

> "In order, however, to dispel that allusion, as to Govind Rao's release, which threatens to throw such serious obstacles in the way of this important inquiry,"—[it had been going on eight months]—"I beg most respectfully to propose that the Dewan be sent immediately under guard to Ahmednuggur, and placed in strict confinement there; and he only be attended by his own servant, and that all other intercourse with him be for the present prohibited."

Now, Sir, this is the recommendation of Colonel Ovans. This is the way they get information in India. What follows? Mr. Hutt waits on the magistrate at Ahmednuggur, the brother of the hon. Member for Gateshead. He was absent at the time this individual arrived. I need not read the order of the Bombay Government directing the magistrate there to keep him secret. I will only mention that Mr. Grant says—

> "If my colleagues concur in the adoption of this measure, I request that no time may be lost in issuing orders to the Session Judge at Poonah to forward Govind Rao, under a suitable escort, to

the custody of the Judge at Ahmednuggur. The usual warrant should be addressed to the Judge at Ahmednuggur. That officer should be instructed"—

(This is the Governor of Bombay—this is the honest man who was desirous, as a lawyer, to obtain disinterested and honest evidence)—

"That officer should be instructed to place the prisoner in strict confinement, and to prevent his holding any communication with any person beside his personal attendants, or those in whom the Judge has confidence. Every attention, compatible with the above object should be paid to the prisoner's comfort and convenience. The Judge should be further informed that it is not likely the friends of Govind Rao at Sattara and Poonah will endeavour to communicate with him by letters, and that he should quietly adopt measures to intercept any communications of this kind, and forward them to the Government."

Now, this is the mode adopted against a man whose whole papers and everything he was possessed of had been seized—every body about him examined in order to extract evidence. This is the way he has been coerced. The Secretary to the Government also adds, in a letter to the Judge at Bombay—

"The Session Judge at Poonah has been instructed to forward the prisoner under a suitable escort, which you will order back to Poonah on your receiving charge of him. On the arrival of the prisoner, the Governor in Council directs that you will place him in strict confinement, and prevent his holding any communication with any person besides his personal attendants, or those in whom you have any confidence; every attention, however, compatible with the above object, should be paid to the prisoner's comfort and convenience. I am instructed to add that it is not unlikely that the friends of Govind Rao at Sattara and Poonah will endeavour to communicate with him by letter; the Governor in Council therefore requests that you will quietly adopt measures to intercept any communications of this kind, and forward them to the Government."

Now for the *denouement*, which will surprise the House. The measures which were adopted, are to my mind the most extraordinary. Colonel Ovans writes to Mr. Hutt to tell him—

"I will send one man, a relation of Govind Rao; you will admit him; admit nobody else."

The man was sent; it was the uncle of Govind Rao, a man who had been bribed into the affair; and he goes there and remains a considerable time. He being the only individual who could see Govind Rao, tells him day by day, "You see the Sahib is very angry; unless you make the confession they want you will die a prisoner." This was after the poor man had been in close confinement and in bad health. The right hon. Gentleman alluded to a former statement respecting a dark dungeon, which statement, I believe, was made in error; but he was confined in a fort. I would tell the right hon. Gentleman, which I am able to prove, in opposition to what the right hon. Baronet said, that he never was liberated until the day after he made his confession; and this man was allowed to work upon his feelings and get a letter from his mother, who believed he was to die if he did not get out of prison; and under these circumstances the man made the confession which is given in the papers, and which immediately that he obtained his liberty he took every means of denying. This is the deposition that Mr. Hutt, in his letter to the Government, states that he had obtained from him:—

"I do hereby solemnly declare that my mother, Girjabhaee, did not prefer an urzee or application to the Resident or the Government, but that it was given by Ballajee Punt Nattoo (that is, the principal conspirator), through a karkoon, in the name of my mother; and the said karkoon now enjoys a pension under Ballajee Punt's administration in Sattara; that the depositions which I gave were exacted from me while I was imprisoned in a dark dungeon at Ahmednuggur; that considering there was no justice with Government, and that if I did not adhere to what the Sirkar (British Government) wished me to do, I would lose my life; I was therefore forced, in order to preserve my life, to give my statement in writing according to the instructions of Mr. Hutt. I do now state that it is entirely false and extortion."

This is the statement of the man when he obtains his liberty. He makes that declaration, as we shall be able to prove if you grant this inquiry. I requested the Government to send these documents out to Bombay, and they did; but they would not inquire. They took security from the man who had made the charge, binding him in 1,000 rupees. He presented a petition to this House, and said, "I am ready to prove by evidence and living witnesses at Bombay if you send out an inquiry; I do not ask you to go upon my evidence; I will prove by living witnesses the whole of this conspiracy." Why, Sir, when the papers were sent out by Mr. Shepherd, the then Chairman, with all the documents, what took place? I have often wondered that the right hon. Baronet did not, as an honest man, shrink from the course which was adopted. When Krishnajee's petition was sent out, and the Government directed an inquiry, what took place? Mr. Warden, the person who had charge of all the natives, sent for this man and said, "Is this your petition?" "Yes." "Why, you have charged bribery against all these men." "Yes." "You say you wrote the original paper which has been attributed to others?" "Yes, and I can prove it. I have my witnesses ready to prove all the allegations in my petition;" a copy of which I presented to the House of Commons at the time. Well, what followed; and I beg the right hon. Gentleman to explain this. Mr. Warden, the European officer who had charge of the business, sent for this man and said, "Are you aware what your fate will be if you cannot prove these charges against the Sahib?" "Yes," said he, "I am aware, but still I am prepared to prove them." Then Mr. Warden said, "Where are your witnesses?" He gave a list of his witnesses—bankers and residents, all alive; thirteen individuals. Then, said Mr. Warden, "I must take security from you, in 1,000 rupees yourself, and collateral security 5,000 rupees more." He took that security, and on the next day Krishnajee expected that the inquiry would go on; but, no; he never heard of the inquiry, and Government shrank back from the inquiry. They found that the whole would be out, and what did they do? They sent the charges to Colonel Ovans and Ballyajee Punt Nathoo, the two conspirators; I will not say Colonel Ovans was a conspirator; he was deceived no doubt by the conspiracy entered into by the natives; and on the Table are all the documents showing that after the proceedings had gone to a certain extent, and security had been taken with a view to the proceeding, Government shrank back and took the simple declaration of Colonel Ovans and this native, Ballajee Punt Nathoo, that this was wrong and entirely untrue. Living witnesses on the spot are ready to prove the truth of every one of these allegations. Now, if that is not a subject deserving inquiry, I know nothingth at does deserve inquiry. Mr. Hutt, in a letter to the Chief Secretary on the 24th August, says—

> "I have the honour to acknowledge the receipt of your letter, dated the 28th ultimo, and to inform you, that, by desire of the Acting Resident at Sattara, Sukaram Bulal, uncle to Govind Rao, the State prisoner, now in my charge, has for many days had free access to his nephew; and that I have also, at Sukaram's solicitation permitted his (Govind Rao's) brother to accompany him in his visits, their object has been to induce him to disclose"—[mark what Mr. Hutt says]—"what he knew regarding the late proceedings at the Sattara Court, in which they have been successsful. I had an interview with Govind Rao this morning, at which, after explaining the circumstances under which he was, as he describes it, reluctantly led to take part in them, he presented me with the enclosed, written, as he assures me, with his own hand, and which I had previously given him the means of preparing. The interview the Rajah and himself, herein described as having had with the soobhadars, took place, he says, in Thraoun Und, between the 27th August, and the 11th September; but the exact date he does not remember. Every attention has been paid to Govind Rao's comfort since he came here."

Now, I will prove that he was never let out of close confinement, until he made the declaration. He made the declaration on the 23rd, and he was let out on the 24th, and this is an extract of a letter dated the 24th. Mr. Hutt concludes—

> "He now seems willing to communicate to me all he knows, and I have no doubt of being able to obtain from him any information the Government may desire."

Now, I will refrain from saying what I think of such conduct. I will refrain from saying that Colonel Ovans knew he was the dupe of this man; but does the right hon. Gentleman place any force upon what other individuals have done? Is he aware of what has taken place? Is he aware that one of the present Directors—a man in the Army, Major Oliphant, in 1845, recorded his opinion of Colonel Ovans, declaring that Colonel Ovans was in possession of papers for eleven months, which would have cleared up the matter; and that he never reported those papers for eleven months until they were found out; and then to prevent any remarks upon the subject, he produced them. In Parliamentary Paper 312, laid before the House of Commons during this Session, Major Oliphant says, "It is indisputably proved"—I beg the hon. Baronet to remark, that I am only stating the facts as they really appear; I do not of my own knowledge know these facts; but Major Oliphant, an Indian Director, with all the papers before him, and everything that could give him the means of judging, thus records his opinion—

> "It is indisputably proved by the printed papers, that on the 7th September, 1837, Colonel Ovans was in possession of positive information as to the real writer of the petition attributed to Girjabhaee, which information completely falsified the evidence on that point previously transmitted by him on the 21st July and 12th August."

Which evidence was, that the mother of Govind Rao had been the author of that paper, and Colonel Ovans was in possession of proof to show, that she was not the author of it. Krishnajee afterwards was proved to be the real writer, and he is ready to prove it.

> "The importance of discovering the real writer of the petition, has been repeatedly and urgently pressed by Sir Robert Grant upon Colonel Ovans; yet that officer did not report the discovery to his Government."

Now, mark! Sir Robert Grant pressed Colonel Ovans again and again to discover the author; but he withheld it from their knowledge until the 16th of August, 1838.

> "It thus appears (says Major Oliphant) that Government was permitted by Colonel Ovans to proceed for eleven months upon false information, and that he did not duly submit to them the declaration made to him on the 7th and 20th of September, 1837, by Krishnajee, the real writer of the petition, which was the very information that his Government so anxiously desired to obtain."

He further says—

> "These are matters which ought, in my judgment, to be sifted elsewhere; but when I find positive proof that Krishnajee's evidence was not made known to Government at the time the matter to which it had reference was under inquiry, but was kept for nearly eleven months in the possession of Colonel Ovans; that Government demanded no explanation of this conduct, and that they now refuse to listen to charges preferred by this Krishnajee in the usual manner, after bringing himself within the jurisdiction of a British court, entering into heavy recognizances, himself in 5,000 rupees, and a friend in 1,000 rupees, to prosecute the charge, with the certainty of severe punishment if found guilty of defamation; that the proof of the charge is not to rest on his testimony, but on that of witnesses, a list of whom he duly furnished to Mr. Warden; and that the plea for refusing to hear him is the inexpediency of reopening the whole case of the Rajah of Sattara, even if these assertions were not solely dependent on the veracity of a person who, by his own confession, has proved himself to be utterly unworthy of credit—I consider it my duty to enter my protest against proceedings which appear to me derogatory to the character of Government, and an improper interference with the due administration of justice,"

Now, Sir, I will not detain the House one moment longer. These are the principal points which were denied last week. I have now given them in detail, and I am prepared to prove them whenever the Government may think fit to inquire, either here or in India. I do consider that I have given a decided contradiction to all those allegations to which I have referred. I am only sorry that the hon. Member the late Chairman of the Court of Directors is not present, because if there is any one thing more absurd than another, it was his reading a paper giving the tittle-tattle of Bombay, to prove treasonable and treacherous correspondence with native chiefs; for that is why he read it. I am not in a condition, nor do I wish to do so, to make any Motion in this stage. I have put on the Orders of the Day a notice for the production of certain papers. It having been intimated to me by a Member of Her Majesty's Government, that there would be no objection to the production of these papers, I had intended to take these papers, after making this explanation, which I only do, in order that it may not be believed that I have troubled the House about a question which may appear of little consequence; but it is a question in which the character of the British Government is concerned—in which the character of officers of the public service is concerned—and in which I say that justice, beyond all things, is concerned. Sir, I will conclude by reading the last paragraph of the petition which I placed on the Table of the House, written by the Rajah from his present place of exile; and this is what he asks; this is what he demands from a British Parliament. This petition is printed, and on the Table of the House. It was presented on the 8th of June, 1842. In it is contained this paragraph:—

> "Wherefore your petitioner respectfully solicits from your honourable House a consideration of his case, and of the treatment he has received, as well as the high character he has invariably maintained amongst his people and the princes of India; while he implores from your honourable House that justice which, had his lot been that of a peasant, it would have been his right to claim from the laws of the British realm. He cannot forget that it is as a dethroned and exiled Prince that he appeals to your honourable House. He trusts that the vast power which has been placed by Divine Providence in the hands of the Government of Great Britain, will not be exercised to his continued wrong; and he hopes the injustice and degradation which he has suffered in innocence will not be permitted to appear on the page of history, to tarnish the glory of the British name, and the conduct and character of that Government in India towards a Sovereign, once its honoured ally, now its helpless prisoner."

Now, that is his appeal made to this House. I have stated, that my only desire is, an inquiry in whatever way the Government may appoint it. Let justice be done by a trial. The Rajah has never had a trial; and upon that ground I have now troubled the House. I am ashamed of the time I have occupied; but the strong impression which the case has made upon my mind, must be my excuse for having done so.

Sir J. C. HOBHOUSE: Mr. Speaker, I hope the House will permit me to say a few words. The fact is, that I was not prepared for the debate coming on previously to the Notices on the Paper. Having heard my hon. Friend's speech, I must take the liberty of saying, that it was in answer to what I said several days ago.

If I were to follow his example, I should postpone my answer, which would be much more convenient to the House. I beg to say, that having on a previous occasion spoken more than two hours and a half upon this subject—having, I am afraid, tired the House—and having, I am quite certain, tired myself, I do not know that I am called upon to take any particular notice of what has been said by the hon. Gentleman. The fact is, that I have come to as complete a conviction with respect to this case as the hon. Member; and it is a totally different opinion from that of the hon. Member. On the former occasion, I showed that every competent authority which was capable of forming an opinion, had come to the conclusion that the Rajah was guilty. I beg leave to tell my hon. Friend, that when I read those opinions I certainly did not conceal the fact that General Robertson had given a favourable opinion. I never concealed the fact that General Briggs had given a favourable opinion; I never concealed the fact that Captain Grant Duff had spoken very favourably of the Rajah. All that I said was this—that at an early period, when our Residents came to have a knowledge of the character of this prince, they had a certain distrust of him. With respect to the opinions of General Briggs and Colonel Lodwick, I contend that the opinion they gave when they were on the spot—when the case had recently happened—and when they had the best means of forming an opinion—is worth more than the decision to which they came in after days, when they were not responsible for their opinions; and, moreover, the opinion of General Lodwick was given on oath (and I read it), he then being Resident at Sattara. Sir, I could go into details, and I think I could satisfy the House, that there is not a single assertion which my hon. Friend has made with respect to some parts of the evidence to which he has alluded, upon which I could not bring counter assertions; and more particularly there is one to which I must allude, because my hon. Friend laid great stress upon it. He alluded to the statement of one witness who came from Bombay; and I will tell you what was the opinion of the Bombay Government upon that witness. It is the case of Krishnajee, to which the hon. Gentleman has alluded. The Governor of Bombay, General Arthur, and two other gentlemen, being then the Government of Bombay, these papers which have been mentioned by my hon. Friend having been referred to them, together with Krishnajee's information in reference to them, gave this opinion, with which my hon. Friend is acquainted:—

> "It has now, we trust," says Sir George Arthur, "been proved to the entire satisfaction of your honourable Court, that the principal allegations contained in the documents forwarded to Mr. Hume, are false and unfounded. Before, however, concluding our remarks upon this subject, we cannot forbear observing, that as regards that portion of the allegations which arise out of the statements of Krishnajee Suddasew Bhidday, it appears remarkable that Mr. Hume should have attached importance to the assertions of a person who has so shamelessly declared that he was induced by Ballajee Punt Nathoo" (this is his own confession), "under the promise of a present of 1,250 rupees and a pension, to forge the name of Geerjabhye to a letter which he alleges he wrote in that lady's name without her knowledge."

Now, this person who is said to have given the important information upon which this pretended conspiracy against the Rajah was founded, having turned out to be a man who was obliged, in order to be listened at all, to own that he himself had been guilty of a forgery, I should like to know how my hon. Friend came to attach importance to the information of this man. [Mr. HUME: Not to that man.] Yes; upon whom the whole of the information was founded. Sir, with respect to the charges which my hon. Friend brought against Mr. Hutt, I am sorry I did not know the debate would come on so early, because I have not the papers here. My hon. Friend admitted that the first charge brought by Govind Rao, who was the Prime Minister of the Rajah, was that he was confined in a dark dungeon; but afterwards, when he came to be reminded that he had better correct the statement about the dark dungeon, it turned out to be a very convenient apartment; and my hon. Friend was obliged to own that Govind Rao was obliged to correct that part of his evidence. It may be seen, therefore, how this matter has been got up; and it turns out that instead of having extorted evidence from Govind Rao (as my hon. Friend had mentioned), we have at least the testimony of Mr. Hutt himself, whose testimony I shall believe, unless some good proof to the contrary is given, that no such thing took place, and that the confession of this man was entirely voluntary. I see an hon. Member opposite, Mr. Hutt's brother, who will confirm my statement that this man confessed voluntarily; and that it was only when he was practised upon afterwards by certain parties, who are interested in disproving all these charges against the Rajah, that Govind Rao came forward to make all these charges, and embody them in an amended petition, where it is true that the charge about the dungeon is dropped, but where the charge respecting the extortion of the confession still appears. Sir, with respect to the character of another man who has been assailed, although I confess it is but natural to take up a case that may be considered one of great hardship, and a man may occasionally be led astray by his feelings—but the hon. Gentleman calls Colonel Ovans and Ballajee Punt Nathoo conspirators—he drops the accusation against Colonel Ovans, I think very properly, and he makes the accusation against Ballajee Punt Nathoo. Now, from the day of Mr. Elphinstone, the chief mover of this treaty, up to this time, I doubt whether there has been a single native in that part of the country whose character stands higher than this man who is charged with being concerned in a conspiracy to dethrone this unhappy Prince. Sir, with respect to the charge of harsh treatment while on the road to Benares, I read from the blue-blook testimony which appeared to me to be satisfactory; and the appeal was made, not by Colonel Ovans to officers who are able to prove whether what he said about the charge of this monstrous hardship—which, if the charge were well grounded, reflected great disgrace upon the parties who were guilty of such conduct—was true or false; but I read the appeal made to parties cognizant of the fact; and nothing that has been said by the hon. Gentleman, he must excuse me for saying, has at all disproved those statements. I grant that my hon. Friend has said there is a difference of opinion upon this case; I grant that in the Court of Directors, very honourable men, Mr. Tucker, the Chairman, Major Oliphant, and others, have taken a different view of this question; but in all these matters we must, as in the House of Commons, be led by the majority; and, remembering the tribunals before which the case was brought in India at the time—persons who had no interest whatever in coming to a wrong and unjust decision—I say that, upon the whole, we must take the uniform decision, without one single exception, of three Governments of Bombay, of two Governments of India, the Supreme Government of India, and every person before whom this matter was brought—we must take their opinion, backed by the authority of the majority of the Court of Directors—backed by the decision of Parliament on several occasions—backed by the decision of the Court of Proprietors (as my hon. Friend said) about nineteen times. We have no means of forming a judgment except by referring to the opinions of those who, according to the constitution of the country, are called upon to decide. I said the other day, that if the Court of Directors and the House of Commons are not thought competent to decide these matters, and they must be taken before Commissions or before Committees, why of course it is in the province of the House of Commons so to direct. On the present occasion, as my hon. Friend has told us, we cannot come to a decision; but we did come to a decision the other evening; and in spite of the pleasantry of my hon. Friend the Member for Montrose, I think that was a very fair decision, although he would make out that he was in a majority of nine. If he got a majority of nine, I should have thought my hon. Friend had better have been contented with it; for if that fact is plain, I would not advise him to try to get a greater majority. As the hon. Member has come to the happy conclusion that he obtained a majority of nine independent Members, I should have advised him not to have brought forward this Motion. Now, Sir, I have a word to say with respect to these papers, because I think it is a most important case. I beg the attention of the House to this, because it is really of very considerable importance. My hon. Friend's first Motion for Papers was entirely different, or was of a different nature, from that which now stands on the paper. I beg the attention of the House to this point, because it is one of very considerable importance. The House will recollect that one of the points which my hon. Friend laboured with considerable success, and by which he made a considerable impression on the House, was that this imprisoned Rajah had certain proposals made to him, which proposals were, that if he would resign his claims to the sovereignty of Sattara, he should have certain advantages in return for the abandonment of his claim; and that he most indignantly rejected those proposals. That was asserted in a speech made by the celebrated Mr. George Thompson, whose name has been mentioned so frequently before in the Court of Proprietors; and that assertion being made, conveying certainly a very grave charge, it was thought necessary by the Secret Committee that the paper read by Mr. Thompson to the Court of Proprietors should be sent out to the Governor General, in order that he might inquire whether or not the assertions made by Mr. Thompson were true, and whether the assertions in a letter that he read, purporting to come either from the Rajah himself, or from a person employed by him at Benares, who was cognizant of the fact, were true. The whole document containing the letter read by Mr. Thompson in the India House, giving an account of those proposals and of the indignant rejection of them by the Rajah, was sent to the Governor General. The hon. Gentleman read the letter (it was one of those letters which came in such an extraordinary way on Mr. Thompson's breakfast table); but he did not read the answer. I will read the answer to the House; and that will show the value of some of those charges which have been brought against the parties who have had the care of the Rajah, and who have had the conduct of this affair. This is a letter from the Governor General, directed to the Secret Committee; and I hope Gentlemen will have the kindness to attend to it. [Mr. HUME: What date?] The noble Lord the Member for Lynn will perhaps have the kindness to attend to this letter, because this is an answer to all these charges; and the House will be able, from the value of these charges, to estimate the probable value of some others. This is a letter from the Governor General:—

"Simla, June 7th, 1846.

"To the Secret Committee of the East Indian Company. Hon. Sir—In accordance with the instructions contained in your Committee's despatch of the 24th of March last, I transmitted a copy of the inclosure (that is to say, Mr. Thompson's charge) to Major Carpenter, with a request that he would submit any explanation he might desire to offer relative to the propositions which he was alleged to have made to the ex-Rajah of Sattara. Major Carpenter's answer, in which he distinctly denies having made the alleged propositions to the ex-Rajah, together with the letter I have caused to be addressed to him in reply, expressing my setiments on the conduct he appears to have pursued towards that Chief, and the communications he has been in the habit of holding with him, are herewith forwarded for your information."

Now comes Major Carpenter's letter to the Governor General; and I intend to lay the whole of the papers on the Table of the House. Now hear what Major Carpenter says with respect to these allegations of Mr. Thompson:—

"The tone and spirit, and meaning of the alleged conversation thus minutely recorded, are so utterly at variance with the numerous consultations I have held with the Rajah regarding the general state of his affairs, that I must at once pronounce the greater part of the conversations stated to have passed between him and myself in September last purely imaginary;"—

(This proposal, which was so indignantly rejected—which the Rajah would not hear of for a moment—Major Carpenter says is—"purely imaginary!")

—"and to declare that the propositions therein detailed were never, then or at any other period, directly or indirectly, made by me to the Rajah of Sattara, either on my own responsibilty, or on the authority of the Governor General."

This is Major Carpenter's letter in which he denies the whole of the story (and which shows the fidelity with which Major Carpenter has acted, so far as he is concerned), it will appear by the following paragraph that those who ought to have undeceived the mind of my hon. Friend, have behaved extremely ill to him; for the Rajah wrote to England, or somebody wrote for him, to correct this error. I hope the Agent will hear what I am saying—that the Rajah wrote to England to tell him to correct this mis-statement, and that that correction has never been conveyed to my hon. Friend, for if it had been conveyed to him, he certainly would have been the last man to have made this allegation. I will read the passage which shows that to have been the case:—

"At the same time I desire not to impeach the varacity either of the Rajah or of his friends in England, for I am assured by His Highness that the whole affair has arisen from a mistaken interpretation of the object of his communications, and that the moment he became aware of the erroneous impression his letters had produced, which it appears he did in March last, he wrote to his Vakeel on the 4th of that month to correct it."

And yet the document which would have saved my hon. Friend a great deal of what he said the other evening—which would indeed have saved the whole—has never been conveyed to my hon. Friend; and the consequence has been, that this fiction has gone the round of all the public papers, and has been made one of the staple commodities on which this charge has been concocted. Sir, I have very little more to address to the House; indeed I ought to apologize for having said so much; however, I am obliged to say something in reply to what has fallen from my hon. Friend. I will only make one or two remarks. It is important to remember, that all those who have come to the decision which has been already mentioned (which I think just, but which my hon. Friend thinks unjust), had no possible interest in coming to that decision. This is not a charge, as the Indian Governments were charged in former times, of getting an acquisition of territory; for what have they done? They might, if they had pleased, have resumed the territory; there was nothing to prevent them; they made no bargain with this prince, except that as long as he continued to observe the terms of the treaty, he should be on the throne. There was no necessity to put his brother on the throne; they might have resumed the territory and absorbed it in the great Indian empire. They did no such thing. There were persons who thought that ought to be done; but it was the opinion of those who had the management of affairs in India at that time, that it would be better to place his brother on the throne. My opinion is, that we should not have heard so much of the alleged injustice, if the territory had been resumed; but that putting the brother on the throne has given rise to greater jealousies and heartburnings than would have been the case supposing the territory had been taken. Sir, reference has been made by my hon. Friend to the bad character of the brother of the Rajah, whom we have put on the throne. But I am happy to inform the House that since he has been on the throne he has behaved with exemplary propriety, and that one of the very first things he did was to do that which was not accomplished before, namely, to abolish the rite of suttee, which in that part of the country had been as it were wrapped up in the very usages of the country, and which had not been abolished, although an attempt had been made to do so. The prince who is now on the throne has abolished that rite; he has in every particular conformed to the treaty; but in consequence of the agitation of this question (of which I do not in the least complain—his life is not an agreeable one, any more than that of the President of the Board of Control) by my hon. Friend and those who take an interest in the restoration of Purtaub Shean, I can assure my hon. Friend that the present Rajah is in a state of great agitation; and well may he be so, for he thinks he is likely to be dethroned also. Now, I, for one, am convinced that what has been done must be maintained. I have given my reasons for that conviction; and therefore the House and my hon. Friend, will not be surprised if I say that I cannot consent to the terms of his Motion.

General MORRISON: Mr. Speaker, when I was in India, I took an official part in the case of the Rajah of Sattara, as a Member of the Government of India, and I went through the papers with great care. It appeared to me that the evidence was quite conclusive—that the Rajah had acted with hostile intentions towards his benefactors, and in breach of the treaty. That was my opinion at the time; and I have seen no reason to change it. Any one who will take the pains to peruse the Minute of Sir Robert Grant, which traces out the evidence in all its bearings, and also to compare the evidence taken by different magistrates at different places, which corroborates other important evidence, will find that there is quite sufficient to establish the guilt of the Rajah. No one could be better qualified for so intricate an investigation than Sir Robert Grant, whose very high character and abilities have never been called in question.

Mr. WAKLEY: Mr. Speaker, from the situation which the gallant General who last addressed the House occupied, it was not my good fortune to hear one sentence or a single word that he uttered. I regret that the more, because I understand that the gallant General had some personal knowledge of the case in India, and knew many of the parties whose conduct has been impeached, whether justly or unjustly I do not say. Now, the right hon. Baronet the President of the Board of Control, commenced his speech by saying, that he had come to a directly opposite conviction from that of my hon. Friend the Member for Montrose; and he also stated, at the end of his speech, that what had been done must be maintained, and that in fact it cannot be altered. Now, Sir, the right hon. Baronet may be sincere in his conviction; but at the same time I am quite confident that in the part which my hon. Friend opposite has taken, the right hon. Baronet does not doubt the sincerity of the conviction at which that hon. Gentleman has arrived. Now, my hon. Friend has upon a variety of occasions brought this extraordinary case before the House. At the present time it is not properly before the House; and the discussion, considering the circumstances of the case, although it may be useful, does not occupy its best position, because there is no Motion before the House upon which it can be called to express an opinion. That, however, is not the fault of my hon. Friend the Member for Montrose. He has, on a variety of occasions, endeavoured to bring the question before the House in a proper manner; and upon a recent occasion, during the present Session, he obtained a division; and in that division he believed he had a majority of the votes of the independent Members of this House in his favour. The hon. Baronet asks why he is not content if he has that majority? Why, Sir, my hon. Friend is not content to leave the case in its present state, because the question has not been brought to that issue which he desires. The object of my hon. Friend is, to obtain for the Rajah of Sattara a trial. His object is, to obtain for that persecuted and ill-used man an opportunity of proving whether he has been guilty or not of the foul charges which have been made against him. I lament that, in these discussions, accusations have been made so frequently against other persons; but it is my conviction — as it certainly is that of my hon. Friend — that he has been compelled, in justice to the persecuted man whose cause he advocates, to make all the statements he has done. It is not his fault—it is his misfortune—that he has been compelled to make such allegations; but I would ask the right hon. Baronet whether he really does consider that this case can rest where it now stands? I would ask him seriously, as a man of honour, as a gentleman, and as an advocate for liberal and just principles, whether he believes that the English public will be content to see a man treated as the Rajah of Sattara has been treated, who has never had an opportunity to this very hour of facing his accusers, and being heard in his defence? Why, what would have been said if it had been one of the poorest men in England who had been treated in this way in Yorkshire, or Derbyshire, or any other distant county? What would have been said, if a man, for example, had been deprived of his possessions, and compelled to leave some part of the country, or any particular district of England? What would have been said, if any authority, exercising such power, had so treated the humblest individual in this country? Why, a Government which tolerated such an abuse would not stand for a moment. In principle, is the thing less objectionable because it has occurred in India? Our rule in India is one of the greatest miracles of the present day, as it respects our social and military government. Do you believe, that if you destroy the English character in India, you can maintain your power there? Do you really imagine, that if you by your conduct produce a conviction and feeling throughout the public mind in those vast possessions, that this is not a country maintaining its institutions by honour and integrity, you can long maintain the extraordinary power which you possess in that vast empire? Why, it is absurd to suppose for one moment that you could do so. It is useless to go over again the facts of the case. The hon. Member for Montrose has done so again and again; and the question is now fully before the House, in documents printed by its direction. But I am afraid that hon. Members have not made themselves acquainted with them — I fear they have not investigated this case as they ought to have done. Sir, how strange it is, that when accusations are made against parties, and it is ascertained that a former Government supports the accused parties, you never can make the existing Government review the official acts of its predecessors, or review its own. If it has decided wrongly, it will adhere to its wrong decision; and in all the public departments of this country, I am sorry to say that the same principle prevails. Now, I fear from the feeling which the right hon. Baronet has displayed on this occasion, some years since as well as lately, that his mind has been unduly biassed by private representations. I fear that some influence has been at work operating on his judgment, which has diverted it from that course of justice which it ought to have taken. I hold in my hand a statement which has been made by Captain Cogan — it was made publicly at a meeting of the East India Proprietary —reflecting upon the conduct of the right hon. Baronet; and the right hon. Baronet, if he will go on refusing the Rajah of Sattara that trial to which he is entitled, must hear statements made and sentences uttered which will be painful and perplexing to him. He himself is calling for these things; it is his own conduct which is producing these discussions; whereas if he would but relax in his determination, and grant that inquiry for which my hon. Friend asks, there would be an end of all this unpleasantness. But, Sir, what a position does my hon. Friend the Member for Montrose occupy in this House! A man who has for more than thirty years been labouring with singlemindedness in the public cause; who is the father of reform in this

House; owing to whose exertions we have at this moment a Liberal Ministry; for if it had not been for his labours, as an observer of passing events in this country, it is my solemn and deliberate conviction that we should not have had a reform of Parliament, and that the noble Lord would not have been Prime Minister of the State— I say, what a position is it for such a man —as pure-minded a man as ever laboured in this House—a man who has rendered to the public more service than any public man in this country—who has saved this country millions of money in taxation— who has laboured incessantly and indefatigably for the purpose of exposing public abuses, and rendering justice to all men: I say, what a position is it for such a man to occupy !—a man who has never sought office or emolument of any kind, but merely the approbation of his own conscience, and has been stimulated by the desire of rendering service to the people—that he should be compelled to sit here night after night, as an humble petitioner to that very Government which he was instrumental in creating—imploring, beseeching, and praying, merely that an inquiry may be granted to a man who has been condemned unjustly without a hearing! Having rendered those services to these Ministers, he has not influence enough to obtain for the Rajah of Sattara a fair trial. Such is the return which they make for thirty years public service rendered in their behalf! I say, Sir, it is painful—it is humiliating to hear my hon. Friend in vain ask for that redress which he implores for the Rajah of Sattara. What is he asking? He is not asking that you shall pronounce the Rajah innocent, or that you should restore him to his rightful possessions; he is not asking that you should inflict punishment upon any of his persecutors; but all he says to you is, grant him an opportunity of proving his innocence—give him a trial. The murderer is allowed a trial in England; but the Rajah of Sattara cannot obtain a trial in India. Now, Sir, I was remarking, before I digressed into the observations which I have made relative to the hon. Member for Montrose, that I feared the right hon. Baronet had had his mind biassed or influenced in some improper way by private representations of this case; or else how happened it that the right hon. gentleman could express himself, as Captain Cogan has stated that he did, during an interview at the Board of Control? I beg the House for one moment to listen to this statement. Captain Cogan belongs to the Indian Navy; he is in London at the present moment, and is prepared to verify the accuracy of the statement upon oath:—

> "I beg leave to observe," he says, "that in order to stand well with the President of the Board of Control, I waited on him officially, and was permitted to have an interview; but instead of being received with the courtesy which is usually observed on such occasions, the conduct of the right hon. Gentleman towards me was, not only uncourteous, but bordering on insult. I was told by the right hon. Gentleman that I had joined a party with Sir Charles Forbes, to embarrass the Government, and to bring this case before Parliament. He swore that he would never allow the Rajah to sit on the guddee again." [Sir J. C. Hobhouse: I did not.] "That he would support the Government of India right or wrong, and put a stop to these turbaned gentlemen filling London with their appeals; and he asked me how I dared to give the opinion I did to his Colleague, Lord Palmerston, of the Rajah's innocence in opposition to the Indian Government; that he had written to the Governor General to dismiss any person from the service who presumed to give an opinion opposed to the Indian Government."

Now, that is a most extraordinary statement. [Mr. B. Osborne: Read that last part again.] "That he had written to the Governor General to dismiss any person from the service who presumed to give an opinion opposed to the Indian Government." This cannot be a Minister belonging to a Liberal Administration! Only see the effects of injustice! Supposing this allegation against the right hon. Baronet is unjust, yet it is a child of the same family; it is the offspring of an act of his own. If he had not been unjust to the Rajah of Sattara, this misrepresentation, if it be one, never would have been made. But Captain Cogan is in London, and is ready upon oath to substantiate that statement. He goes on to observe—

> "Much was said with regard to the probable evil consequences to myself with which I shall not trouble the Court, looking upon them with contempt."

I may observe that if this had not been stated publicly in the Court of Proprietors, I should not have used in this House.

> "But I trust, that after what I have said, that this Court will do its utmost to protect the natives of India—that it will feel called upon to check that undue exercise of authority which was established to protect, and not oppress and degrade the natives of India."

Now, Sir, that is a very extraordinary statement; and it comes from a gentleman holding a very respectable position in society; and he morever remarks that he is willing to take the most solemn step that he can adopt, in order to prove its accuracy. Now, there are many statements I could make with reference to other individuals who are away. I am not anxious to be the author of injustice. It is my desire only to render the Rajah of Sattara that justice which he asks—which he has so long demanded—and which he is, I believe, resolved to demand until he has obtained a hearing. The right hon. Gentleman, in all the remarks be made, scarcely uttered one word upon that point. Will the right hon. Gentleman show to this House why the Rajah of Sattara has not had a trial? The allegation at one time is, that he is a prince, and that therefore you could not try him as you would an ordinary man. Upon another occasion, when it serves the purpose, it is alleged that he is a subject, and that he was dealt with by competent authority. The right hon. Gentleman states that three Governments of Bombay, two of India, and all persons who are competent to decide, gave it as their opinion that the Rajah was guilty. But what is a decision without a trial? To deny a man an opportunity of proving that he is innocent, is resorting, in my opinion, to the foulest tyranny and despotism. What could the most despotic monarch do more than has been done in the case of this unfortunate man? The whole question originated in a dispute about property. The right hon. Gentleman says, he does not believe that. He believes that the Rajah had no control or authority, and that he had no vested right with regard to the Jaghires. But that is a mistake. What the Rajah wants is, that all these questions should be settled by a competent tribunal; and it is upon that, if I were to speak for a month, that I would dwell. But, whatever Colonel Ovans has done, or whatever other parties have done, or whatever offences they have been guilty of, the question that I would ask—and I would repeat the interrogatory ten thousand times—is, has the man had an opportunity of proving his innocence? No; and yet he has been punished—he has been deprived of his station, authority, and possessions. You have transported him into a distant land; and yet there is not a Minister in this House who can get up and say that that man has ever had an opportunity of facing his accusers, or ever has had counsel or agent employed in his defence. It is most monstrous. Nothing, in my opinion, can be more injurious to the character of the Legislature, and of this country generally, than that such base and foul acts of tyranny should be permitted. I am really astonished in this House that when we have brought forward this case, and demand only a hearing for a man who has been condemned without a trial, that there should be found a single individual who will not support us. Now, I will give the right hon. Gentleman a piece of advice. He concluded his speech by saying, that what has been done must be maintained. There will be another Parliament; I may not be elected; no doubt the right hon. Gentleman will be elected; but for the sake of justice—for the sake of our own character—I beg him to withdraw that statement, and to abandon at once the determination on which that expression is founded. I would entreat and beseech of him, even now at the eleventh hour, to resolve to meet the thing by a course of procedure which shall bring about for the Rajah an investigation into his conduct, which shall satisfy all mankind as to his guilt or innocence. I ask the right hon. Gentleman to take that course. I implore of him as an act of justice, and as a thing that is really due to the honour of this country, and due also to the people of India, to adopt that course. But if he will not, and I should happen to be a Member of the next Parliament, I can assure the right hon. Gentleman, that, if my hon. Friend again brings forward this question, if there are eleven other Members who will join with me in an opposition to the Government with reference to Supplies, I will endeavour to prevent the Government obtaining one shilling of supply until that inquiry has been granted. In taking that course, I ought not to be charged with acting captiously with reference to the Government. I would only take that course from a solemn conviction that it is the duty of the independent Members of Parliament to pursue it. I do conscientiously believe, after having examined the papers, that a more injured and a more honourable man than the Rajah of Sattara does not exist; and, entertaining that conviction, if I took any other course, I should abandon that duty which I owe to myself, to my constituents, and to the country at large.

Lord JOHN RUSSELL: Sir, the hon. Gentleman said very truly, that this case cannot be properly discussed on the present occasion. The hon. Member for Montrose has not made any Motion upon this occasion; and I will not revive the discussion which took place a very few days ago, when the question was decided by a division of the House. Still, there are some remarks made by the hon. Gentleman applied to me, upon which I must address a few words to the House. But, in the first place, he says that he did not hear the statement of the gallant General who spoke before him. I must inform the hon. Member that the gallant General said, that he believed in the guilt of the Rajah; and he went on to say, that this case had been very carefully considered by Sir Robert Grant, than whom no man was more intelligent, or more able to understand the merits of any case either of law or moral justice, and than whom no man was of purer character. He said further (which, I think, is certainly true), that Sir Robert Grant fully believed in the guilt of the Rajah. Now, I do not find any fault with the hon. Gentleman, or with any one, for believing in the innocence of the Rajah of Sattara. The hon. Member for Montrose has a right to bring the case forward before another Parliament, and cause it to be again discussed before that Parliament. I own that I did think on a former occasion that it was but fair to take into consideration, on the other hand, that my right hon. Friend had no interest in this case, and that he could have no partiality either for the ex-Rajah, or his brother the present Rajah, but that it would be just the same to him whether the deposed Rajah or his brother who is now the sovereign prince of Sattara sat upon the guddee; and that therefore his only regard could be, to do that which was most consistent with justice, and most to the advantage of the people of India. I own that I thought that in treating this question of the Rajah of Sattara, the hon. Member for Montrose did not make that fair admission which he ought to have done—that my right hon. Friend was performing conscientiously a public duty; that though differing in opinion with my right hon. Friend, the hon. Member was bound to admit that as President of the Board of Control my right hon. Friend was only looking to the public interests. Sir, I quite admit, though not in the same terms, that the hon. Gentleman is entitled to a hearing from this House, upon any case which he may think fit to bring before it. Thinking my right hon. Friend was unfairly used with respect to this matter, I may have said with reference to the hon. Member for Montrose, that which is not exactly consistent with my respect for the hon. Member. I am at all times ready to admit that there is no Member of this House, who, during a long public life has laboured more zealously in the public service; and I should be very sorry if I had made use of any expression inconsistent with that sentiment. But whilst I say this, I think it is too much to infer, as the hon. Gentleman does, that merely because the hon. Member for Montrose brings forward a case, therefore there must be a trial and an inquiry into that case. If my right hon. Friend is right in saying that there has been already an inquiry—that that inquiry was a full inquiry—that the Rajah himself refused to appear before that Commission—and that, therefore, the Commission came to a decision the best that could be come to under the circumstances, and that their decision is consistent with the justice of the case—I think it would be too much to say, merely because the hon. Member for Montrose brings forward this matter, that therefore there must be a rehearing of it. Sir, with regard to this case, as with regard to every other, there must be an end of trials. Supposing now there was a trial granted—I do not know of what kind that trial would be—and that the decision was against the Rajah, why not ask for another trial, and so on for an infinite number of trials, in order to try this question over and over again. But supposing that those Gentlemen who have had it under their consideration, knowing all the circumstances of the case have come to a right decision, and that my right hon. Friend and the Government think they came to a right decision, I think it must be admitted that it is the bounden duty of the Government to support that decision which they think right. But to say that my right hon. Friend is to presume that to be wrong which he believes to be right, and that, therefore, we, as a Government are at once to give up a decision which has been arrived at so maturely, is saying too much. Sir, the hon. Member read a paper containing a statement of Captain Cogan, who, I believe, was recommended by the right hon. Baronet to the Secretary of State for Foreign Affairs, to conduct some negociation with the Imaum of Muscat, and who my right hon. Friend thinks did not act in a manner which was consistent with his duty as a public servant, when engaged in that service. Such was the opinion of my right hon. Friend; and my right hon. Friend may have stated that opinion; but as to his having made the statement, that right or wrong he would maintain the servants in India, and that whoever expressed an opinion in opposition to the Government upon the case should be punished, that is such a tissue of improbabilities that I cannot give any credit to it. Sir, I certainly am not disposed at all to enter again into this question of the Rajah of Sattara. My right hon. Friend, for two hours and a half, stated to the House the facts of the case of the Rajah of Sattara; and the House after hearing them decided against the opinion of the hon. Member for Montrose. If the hon. Member for Finsbury thinks proper to bring this case forward before a new Parliament, that is a course he has it in his power to take; but I submit that we cannot at this moment, and after so recent and protracted a discussion, enter further into the subject.

Sir J. C. HOBHOUSE: Sir, I hope the House will permit me to say one or two words with reference to the charge brought against me, not only politically but personally, in the paper which has been read by the hon. Gentleman the Member for Finsbury. I will state exactly what occurred. Captain Cogan was an officer in the Indian Navy, who was employed in a certain business under Lord Melbourne's Administration. In consequence of my opinion of his ability and good conduct, I recommended him to Lord Palmerston to be employed on a mission to settle a treaty with the Imaum of Muscat. Captain Cogan went on that mission, so recommended by me, and so employed by Lord Palmerston. When he had attained the object of his mission to the Imaum of Muscat, he returned to England by the way of Bombay; and while at Bombay he entered into a correspondence with certain agents of the Rajah of Sattara; he then being (let the House mark) on his return from a mission to which he had been recommended by myself to Lord Palmerston; and returning with the treaty in his pocket, at least returning from the performance of that mission. It came to my knowledge as the President of the Board of Control, that while at Bombay (as I before said) he had interested himself in the affairs of the Rajah of Sattara; and in fact, on his arriving in England, I found he had begun to advocate the case of the Rajah. When he called upon me officially at the Board of Control—I do not think I uncourteously receive any body at the Board—I asked him when he arrived, and so on, and whether he had not, in returning to England by way of Bombay interested himself in the affairs of the Rajah of Sattara? He said he had. I said, "You had no business to do so; you went on a mission of a totally different character, to which mission you were recommended by myself; and I cannot understand why it is that you, being entirely on another service, should interest yourself in this affair." Surely, as the head of the Government department connected with India, I had a right to tell an Indian servant that I considered he had gone out of his way in putting himself in communication with the Rajah and his agents at Bombay, instead of returning immediately with the object of his mission. Upon which this gentleman said, he thought the Rajah was innocent. I said, "Very likely you may think so; but I do not think that has anything to do with the matter. The question is, whether or not you should have so employed yourself." Then he said something about its being right to take part with people when they were injured. I said, "I do not think it was your duty to take that part." In consequence of this conduct, I thought it my duty to represent to Lord Palmerston that I considered Captain Cogan had not behaved with propriety in thus going out of his way, and making himself to a certain degree the agent of the Rajah. And if Gentlemen will look into the blue book, they will there see that Captain Cogan—I do not blame him for wishing to make himself an agent of the Rajah—wishes to bargain for 1,500*l.* a year for being an agent of the Rajah. They would have given him 1,200*l.*, but he wanted 1,500*l.* Very good; I do not blame him for that. A man has a right to sell his services for such a sum if they are worth it; but I thought it my duty to represent to Lord Palmerston that in my opinion Captain Cogan had behaved with impropriety; in consequence of which this gentleman was not introduced to Her Majesty. The end was, that Captain Cogan took the first opportunity of doing that which I must describe—I leave the House to judge of its propriety. He went to the Court of Proprietors, and detailed this conversation of mine; I not having the least opportunity of knowing that he was going there, for if I had, I should have told exactly what occurred, and I should have requested somebody to state the words I used. But he went to the Court of Proprietors, and he narrated what he called the exact conversation with me, and which he says he is ready to swear to. Whether he will swear to it or not, what really did occur, I have stated; and I leave the House to judge of the assertions of a gentleman, a public officer, who has, I say, acted in a manner which I think highly unbecoming, if the agents of the Government are, when they are sent on one mission, to put themselves in communication with parties who are getting up an opposition to that very Government, because it was partly my own act; I was the responsible Minister of the Crown, and I recommended him to this appointment; and I have got his letter now (which I shall not read) thanking me for this conduct of mine to him. I was made, of course, the object of his attack, because I chose to tell him in private, and not in the insulting way he represents—far from it—(and I appeal to my general character whether that is not my habit)—what I thought of his conduct; and I state it now in public. I told him that I thought he had deviated from his public duty by making himself a partisan and an agent of the Rajah of Sattara, he then being employed upon a mission of a totally different character.

Mr. B. OSBORNE: Sir, I very much regret that my hon. Friend the Member for Finsbury has thought it necessary to introduce this charge which has been made by Captain Cogan against the right hon. Gentleman the President of the Board of Control, because I think that every Member of this House must agree, that if private conversations either with Ministers or with Members of Parliament are to be repeated, and made the vehicle of public charges, that all public confidence as well as private confidence is at an end. Sir, I do think, that what my hon. Friend, if he will permit me to call him so, has said with regard to the Rajah of Sattara, as far as my humble means of judging enable me to form an opinion, has been perfectly satisfactory to the whole House. I do think that nobody can accuse the right hon. Baronet with want of courtesy. I am of opinion that it may be said of him truly, that he is a lion in debate, but a lamb in private conversation. My purpose in rising on the present occasion, was to draw the attention of the House to the subject immediately before it. Sir, I was in the same situation as my hon. Friend the Member for Finsbury, with regard to the speech of the hon. and gallant Gentleman who preceded him, and who probably could have given us much information upon this point—I mean the gallant General the Member for Clackmannan. His speech was so strictly private and confidential, that I never heard one word of it. But if we accept the version of it which is given by the First Minister of the Crown, I do not think that that version places the case in a much better position than that which it occupied before. Sir, what says the noble Lord the First Minister of the Crown? The noble Lord says—and he endeavoured, evidently, to impress the House with its importance—"What! will the House refuse to give credence to the opinion of Sir Robert Grant?" I acknowledge the purity of Sir Robert Grant; but, at the same time, he himself, in the evidence I hold in my hand, expressly says, that although in his opinion the Rajah was not entitled to a verdict of—not guilty—still he ought to have a copy of the evidence laid before him, and ought also to have a fair trial given to him. Now, the whole matter resolves itself into this question—has the Rajah been supplied with a copy of the evidence; and if so, has the Rajah been permitted to have a fair trial? Certainly not; quite the contrary. The Rajah requested to be furnished with a Mahratta copy of so much of the depositions of the two soobahdars and the Brahmin as affected himself: this was not objected to at the time, and I believe I am warranted in stating, that from that time to this the Rajah of Sattara has never received any copy of these informations against him; and not only so, but Sir Robert Grant, in his Minute of the 15th of August, says, he is strongly of opinion, that before the case is conclusively disposed of, the Rajah should be made acquainted with the fresh evidence elicited against him, and should be allowed an opportunity of offering defence or explanation. He says—

> "I repeat that opinion, not meaning that there should be merely the form or farce of a trial, to be closed by a ready-made judgment, but that the defence should be fairly heard and impartially weighed."

Now, therefore, when the noble Lord tells us that this pure-minded man was of opinion that the Rajah was guilty, I think he is bound in fairness to state, that the Rajah of Sattara has never received any copy of the evidence, and has never been fairly brought to trial. Sir, I put it broadly in the face of the British House of Commons. Supposing the right hon. Baronet the President of the Board of Control had been accused, upon good evidence, of the charges which are alleged, I think so vaguely, and vilely as I may say, by Captain Cogan, of the Indian Navy—supposing they had been adduced on valid and good evidence, would you, the British House of Commons, have consented to have deposed Sir John Cam Hobhouse, from the Presidency of the Board of Control, to have confined him in a dungeon, and to have taken an examination before a secret tribunal, without bringing him to a trial before the face of the country? Why, it is truly ridiculous. We all know that such a transaction could not have occurred. But because this unfortunate man is removed from us by the ocean some thousands of miles, and because it is thought that every act of the Indian Government must be conducted with Venetian secrecy, you are content to enact scenes in that country which could not be enacted in this. But, Sir, I do very much regret that the noble Lord, instead of being so anxious to get his Bill for the Bishopric of Manchester through this House, should not have taken into his consideration this case of great and crying injustice, and have given a Committee of this House for the purpose of examining the charges alleged against the Rajah of Sattara. For what does the hon. Gentleman the Member for Montrose ask? He merely asks that you will give a Committee of this House to inquire into the charges alleged against the Rajah of Sattara. The hon. Gentleman the Member for Liskeard, who, in former days, was the incarnation of the spirit of liberty, will be, I am sure, the last man to oppose a proposition so reasonable. But, Sir, I lament to say, that it is too often the case, that a man is never thoroughly ruined, and his case is never irretrievably gone, until he is forced to appeal to the British House of Commons. We are called a Court of Appeal; and yet it is well known that there never has been an instance of any man appealing to the British House of Commons, who ever got justice done in this House. It is one of the last refuges for the destitute, where his case is debated, but he never gets a Committee of Inquiry into the merits, and the case is completely quashed for ever afterwards. This is not only true with regard to the Rajah of Sattara, but it is true also with regard to every case that is brought before Parliament. The matter immediately becomes a party question. Hon. Gentlemen do not like to criminate those who have gone before them, and therefore they support the decision, whether good or bad, which has been pronounced by former Governments; and the man, however oppressed and maligned, is left to labour under the imputation. Sir, it is extremely problematical whether I may have a chance of appearing in this House in the next Parliament; but I can assure my hon. Friend the Member for Finsbury that I shall be very happy to make one of the "eleven" who will urge this case. I rejoice that the hon. Member for Finsbury has taken this opportunity of rendering a just tribute of respect to my hon. Friend the Member for Montrose. He possibly may not be the great master of the English language which the noble Lord is—he may occasionally descend even to quibble in this House; but I will say, that it did require some greater tribute of respect to the merits of the man who said he was "ready to vote that black was white" to support the noble Lord. I must say, I was a little astonished at the deep ingratitude of the noble Lord, in forgetting all the past services of my hon. Friend, when, upon a late occasion, he thought it necessary to use the very strong language he then employed. And let me tell the noble Lord, that a reprobation of that sort coming from the Prime Minister is stronger than if it came from a private individual. However, I am rejoiced to hear that the noble Lord, with that chivalry which is known to belong to his character, has made the *amende honorable* to my hon. Friend. Sir, I wish he would go further, and make the *amende honorable* to the deposed Rajah of Sattara. I am sure that the noble Lord cannot make his position in this country stronger—firm as it is at present—than by taking up the case of a deposed and injured Prince whose cause has been so ably advocated upon all occasions by my Friend the Member for Montrose; and I trust that he will be inclined to put off the introduction of this very obnoxious Bishopric of Manchester Bill, and devote himself to a far greater and I will say a holier cause—an inquiry into the merits of the charges brought against the Rajah of Sattara.

Mr. WAKLEY: I hope I may be allowed to say that I have no knowledge of Captain Cogan, and that the extract I read was from a printed volume of the proceedings in the Court of Directors.

MR. BICKHAM ESCOTT: Mr. Speaker, it is not my intention to detain the House at any length; but it is impossible, after the pains I have bestowed on these papers, that I should refrain from saying a word or two on this occasion; and I hope the House will, therefore, bear with me for a few moments. With respect to joining that party to which my hon. Friend has alluded, I do not know how that may be; I think the less any of us say about what we will do in another Parliament the better. But I understood that the "eleven," to which the hon. Member alluded, to be an eleven of which he is to be the head, as one for the county of Middlesex; and I dare say it is very likely that Middlesex will meet with success. Now, Sir, with respect to the question immediately before the House, I am more than ever disappointed at the speech of the right hon. Gentleman the President of the Board of Control, because I am not one who believes the statement which has been made by my hon. Friend the Member for Finsbury from the letter which he read. I have too high an opinion of the right hon. Gentleman to suppose that he would be guilty of such incivility as is alleged to have taken place. I should say, that of all men in his station, whom I have ever known in this House, he is one of the last to be justly subjected to such a charge as this. But this is one of the gross acts of injustice which arise from the very proceedings of the right hon. Gentleman himself. Why does he back the East India Board in concealing the truth upon these questions? Why does he allow his own character to suffer in public estimation, when, I have no doubt, if due inquiry were granted, his own character would come out clear and unimpeachable? Why does he allow that character to suffer, because he will back up certain East Indians, who, knowing nothing of the principles of English liberty, believe that our rule in India is to be supported on the old principle on which it was maintained before there was a free press in India; for many such persons there are both in India and at home in Leadenhall street? Why does he sacrifice his own opinions and principles—fair and honourable as they are—to such things? That is the great evil which he is doing to himself and his Government. It seems to me that on these questions all Ministries commit one fatal mistake; they appear to forget that the wisest policy is, to do justice. They talk of a trial having been granted. I was particularly sorry to hear the noble Lord reiterate the statement that there had been a trial of this Rajah, and that if we were not contented with the issue of one trial, there was no reason why we should be contented with the issue of another. The whole question is, whether he has been tried at all. If he has been fairly tried, then *cadet questio;* we do not want to enter into that question further. But the noble Lord knows that he has not been fairly tried. How could a man be fairly tried without a copy of the charges on which he was arraigned? This man applied for a copy of those charges; he was promised a copy of them; but he never knew what the evidence was which was to be brought against him, which, in his case, it was as necessary to see as a copy of the charges themselves, although, strictly, it was not so legally his due; but a copy of the charges was legally his due on every principle of jurisprudence and on every principle of justice. This Prince could not answer the case which was brought against him until he knew what it was. It was said on a former occasion — and was made an objection to the Rajah, to which I endeavoured to lay before the House an answer—that the investigation of this case could not be taken up on the principles of English jurisprudence; and I said, that even though I did not consider that this Prince could have been tried apon the strict rules of the English law of evidence, yet that a case of prosecution must be considered on those principles, and with a view to deliberation, founded on the same proceedings as those which take place in the English courts of justice. Supposing I grant all that was said, still the principle of inquiry should be the same. A man should know what he had to answer, before he was put upon his trial. Supposing that a man was unacquainted with the language and customs of those who were to try him —supposing that he was unacquainted with all the forms of judicial inquiry, whether those which had been used in this country or his own—supposing he was unlearned in the law, was it fair to refuse that man an agent? Was it fair to say to that man, "You shall come before these three Commissioners, all of them the paid servants of the Government, who have to try you, and of that Government which instituted this inquiry; you shall appear there alone, unaided, undefended, unassisted, by any legal practitioner?" And when he complains under those circumstances, without having the charges laid before him, that he has not had a fair trial, would you consider it just that he should be told by the Minister of the Crown, in the House of Commons, "You were present at your trial, and therefore your trial was properly conducted, and we cannot allow any further inquiry?" Why, the Rajah of Sattara was present, but he had not the slightest power of meeting those charges; he was ignorant of the very language in which they were made, and he could not understand the laws upon which they were sought to be established. [Sir C. J. HOBHOUSE: He heard the witnesses.] I beg your pardon; he was present during part of the examination; but when he was present, it was a mockery of the forms of justice to say, that because he was so present, therefore his trial was fair. He never had a copy of the charges—he never had a copy of the evidence—he never was allowed the assistance of those agents, and that advocacy of professional men, which, as my hon. Friend says, the humblest individual is entitled to before he is found guilty. In this country an humble individual, if he is so poor that he cannot command the professional assistance of legal advisers and agents, has the Judge to protect him, and to see that justice is administered duly, fairly, and impartially, according to the strict observance of the rules of English law and justice. Who were the judges in this case? I cannot omit that part of the question. Why, the judges were the paid servants of the very Government who were the Rajah's accusers. The daily bread of those judges depended on their support of the accusations which they were sent there to try. They could not have come out of that Commission court—they could not have appeared again before those who had employed them to try this Rajah, with a verdict of "Not Guilty" against him, without condemning the persons who had so employed them to institute this inquiry. Therefore, I say, that neither was the court impartially constituted, nor had the Rajah a fair opportunity of clearing himself; nor was there any one particular observed in the whole of these proceedings from beginning to end, to satisfy those requisites of fair play and justice which ought to be the first points in the administration of everything like punishment in the case of every delinquent, whether he be high or whether he be low. But there is one other circumstance which was alluded to by the right hon. Gentleman on the last debate, when I had no opportunity of replying to his observations. It was this—it is said that it evinces a merciful consideration on the part of the Government of India, and the persons who conducted the prosecution against the Rajah, that they forsooth were willing to grant him pardon on certain conditions; and the right hon. Gentleman said to-night, that he might have been admitted to certain rights and privileges which he does not enjoy, if he would have given up his government. That, however, was not the condition upon which pardon was offered to the Rajah. The condition upon which pardon was offered to him was this—that he should admit he was guilty of those serious charges which were made against him. Sir, I say it is the consummation of iniquity in any Government, to accuse a man of a crime and refuse him a fair trial; and then, when he is groaning under oppression, to tell him, "You shall appear as an innocent individual, so far as your personal interests and your possessions are concerned; but in order to obtain your throne and your possessions, you shall upon your own brow affix the seal of your own guilt." It is a monstrous proceeding to add insult to indignity—to add indignity to injustice. Well, they have displaced this man; and what have they gained in India? Is his successor a better man than himself? Is it likely that the public there will be pacified by any such proceeding as this? Is it probable that a free press in India will allow this case to rest where it now stands? Or do you suppose that the people here will be contented with this refusal of justice? Why on earth is it that the Government bring these difficulties upon themselves? Why do they not at once say, "Here is a question on which there is considerable doubt, upon which the right hon. Baronet admits that the highest authorities of the India House are in favour of the view taken by the hon. Member for Montrose; they are in favour of the view which has been taken by him in successive years and in successive Parliaments: all that is asked for is justice — all that is sought is an inquiry; let us grant that act of justice, and then this whole question will be settled for ever?" If an inquiry is not granted, I tell the Government, and I tell the House, that the question never will be settled; and he is the best friend of your Government, and the most consistent supporter of the character of his country, who stands out the firmest for inquiry into a case of such unparalleled wrong.

Report Consolidation Fund Appropriation Bill received. Bill to be read a third time.

POOR LAWS ADMINISTRATION BILL.

Lord JOHN RUSSELL moved, that the Lords' Amendments on this Bill be printed. The noble Lord said, that in moving those amendments be taken into consideration on Monday, he would state the course which the Government intended to pursue with reference to two which were regarded as of the most important character. The first related to a clause inserted in that House, on the decision of a majority, upon the Motion of the hon. Member for Evesham (Mr. Borthwick), which was at variance with the feelings of Her Majesty's Government. The other related to another clause inserted immediately afterwards without a division, authorizing the admission of the ratepayers to boards of guardians. As to the first of these clauses, his opinion was adverse to its introduction; but after the decision of the House he could not consider it was a question relating merely to the merits of the provision. The House having decided that that provision should be introduced, and considering the House was at that time more numerously attended than it was likely to be now, he was disposed to support its original decision, and therefore he should move that the clause which had been expunged by the Lords should be again inserted. As to the other clause which had been expunged by the Lords, he should propose to agree to their amendment.

Mr. WAKLEY rejoiced to hear the announcement that the husband and wife, when in the workhouse, were not to be separated; but he regretted to hear the noble Lord say he agreed with the Lords in opposing the admission of ratepayers to the meetings of boards of guardians. In his (Mr. Wakley's) opinion, that was the most important of the two clauses, because boards of guardians, by arrangement, might altogether nullify the great advantages of their trust. It was of the utmost importance that ratepayers should have an opportunity of being present at these meetings, and of knowing upon what principles the guardians acted in the administration of relief. He trusted the noble Lord would reconsider his decision with respect to this clause.

Subject at an end.

BISHOPRIC OF MANCHESTER— (ADJOURNED DEBATE).

On the question, "That the Speaker do leave the chair, to go into Committee on the Bishopric of Manchester Bill,"

Mr. HUME rose and said, that his objections to this measure remained unchanged. He referred *seriatim* to the arguments which had been used against it by the right hon. Gentleman the Member for Dorchester on the previous evening, and contended that they yet remained wholly unanswered. In the right hon. Gentleman's view, the arrangement of 1836 was a compact between the Church and the Ministry. There were to be two changes made; one of them was, that the sees of Gloucester and Bristol should be united, and that, when they were so united, a bishopric of Ripon should be created. That arrangement had been carried out. In the next place, the sees of St. Asaph and Bangor were to be joined; and, after such union should have taken place, but not before, there should be made a bishopric of Manchester. Well, that union had not taken place; and yet the noble Lord had brought in a Bill, the object of which was to create a see at Manchester. Now, that he considered altogether illegal. He contended that this Bill was a violation of the compact of 1836, when it was admitted that the true interests of the Church and of the people would best be served by an increase of the parochial system rather than by an increase of the number of bishops. This Bill proposed a misappropriation of the funds which were set apart by law for particular purposes; and it was the more unnecessary because the people of Manchester had not called for the appointment of a bishop. The whole question would be opened up again, and those who considered that the Church had no right to appropriate its revenues in this useless manner, would be disposed to push their objections further. He objected, also, to the creation of two classes of bishops; and he was not quite sure that he would not be disposed to vote with the right hon. Baronet the Member for Dorchester, and so make the Bill as bad as possible. He should oppose the Bill at every stage. The noble Lord was joining with all those who had opposed him throughout his life, and who were making use of him as a cat's-paw to get all they could. Every bishop the noble Lord succeeded in adding to the present number, would be a stick to break his own head. In the division of last night there were ninety Tories, thirty Members of the Government, and only eighteen Liberals, in the majority. This was the company the noble Lord kept. [*Laughter.*] With these remarks, he proposed to move an Amendment, in order to see whether there would be any improvement in another division. The hon. Member then moved as an Amendment that the Speaker leave the chair on Monday next.

Sir W. MOLESWORTH intended to offer every fair opposition to the Bill, but not to join in any vote which would appear to him to be giving a factious opposition. It was said that the bishops at present were not sufficient to perform their episcopal functions: why not, in that case, relieve them from their legislative duties, and thus afford them more time for their spiritual duties.

Mr. J. COLLETT said, he should support the hon. Member for Montrose in the course he might pursue. He had received a letter on the subject of this Bill which he would read to the House:—

"March 2, 1847.

"Sir—The public in general, and the clergy in particular, are much indebted to you for the part you have taken with respect to the union of the sees of Bangor and St. Asaph. It appears that four new bishops are to be created, and if their emoluments are to be provided for from and out of the incomes of the present bishops, and if, moreover, they are not to have a seat in the House of Lords, this addition to the episcopal bench is perhaps immaterial. At the same time, Sir, if the present bishops were to be resident in their dioceses, and to do their duty, their present number would be quite sufficient, and any overplus from their incomes might go to increase the salaries of the hardworked and ill-paid inferior clergy. In the charge recently delivered to the clergy of the diocese of Ely, the present bishop of that see urged the necessity of a resident clergy. You will scarcly believe me when I tell you that, for eight months out of the twelve last year, this right rev. Lord was himself resident—in London! and even obliged the young candidates for ordination to come up from the country to town for that sacred rite. A relation of my own, who had obtained a small curacy of 90*l.* per annum, was thus put to great inconvenience as well as expense. 10*l.* or 12*l.* for travelling and hotel expenses may be matter of trifling moment to a bishop with 6,000*l.* per annum; but it is a large item when deducted from a curate's income of 90*l.* per annum. It was only, moreover, last week that a clergyman of the diocese of Worcester informed me that during the past year my Lord Worcester had been seven long months absent from his post—in the early spring in the Isle of Wight, in the season in London, and in the autumn at the Lakes. Verily, these spiritual Lords take things very easy. Sir, if we are to have bishops, and well-paid bishops too, let us have resident, village-visiting, pulpit-preaching overseers of the clergy and their flocks, and not, as now, London-living, concert-directing, Court-attending Prelates, who mistake politics for piety, pomp for dignity, and arrogance for learning. Make what use you please of these statements, and permit me to subscribe myself your faithful servant.

"To J. Collett, Esq., M.P."

Mr. V. SMITH said, the right hon. Baronet the Secretary for the Home Department had said that this Bill did not pledge the House to the appointment of the three additional bishops. If so, why retain the words to that effect in the preamble and the second clause? The right hon. Baronet opposite (Sir J. Graham) had said, that in the Committee he should move that the preamble be not postponed. Now, he (Mr. V. Smith) might not be prepared so to depart from the usual course, and therefore he wished to know whether the noble Lord was prepared to erase from the preamble those words relating to the three additional bishoprics? In the second clause also there were these words—"That the number of Lords spiritual now sitting and voting as Lords of Parliament shall not be increased by the creation of the above-named four new bishoprics." He thought that the words "four new" might be left out of that portion of the clause, and that the clause should read—"that the number of Lords spiritual now sitting and voting as Lords of Parliament shall not be increased by the creation of the above-named bishopric;" the reference being then to the bishopric of Manchester. He thought it desirable that the words he had alluded to should be struck out of the clause, as their retention might possibly be considered as implying a sanction of the principle of creating three other new bishoprics; which principle had nothing to do with the principle of the present Bill, but was merely mentioned in it incidentally. If his suggestions were complied with, then the only question to be raised in Committee would be that given notice of by the right hon. Member for Dorchester, as to whether or not the new bishops should have seats in the House of Lords.

Sir J. GRAHAM said, he agreed in the alterations suggested by the right hon. Gentleman (Mr. V. Smith) in the preamble and second clause of the Bill, as far as they went; but even if the noble Lord consented to withdraw that part of the preamble to which the right hon. Gentleman had referred, he should still seek to amend the preamble; because it had not been quite accurately stated by the right hon. Gentleman that the question of the creation of three other new bishoprics, and of the right to sit in the House of Lords, were not involved in the same portion of the preamble. There was a passage in it where, so far from those questions being kept separate, they were involved together. He should therefore, object to the whole of the passage, because, by implication, it admitted the principle that three other bishoprics should be created, and also that the four new bishops should not have seats in the House of Lords. The passage in the preamble to which he referred was as follows:—

> "And also, as soon as conveniently might be, three other additional bishoprics, regard being had to the circumstances that Her Majesty did not contemplate the issue of Her writ to the new bishops to sit and vote as Peers of Parliament, except as vacancies should from time to time occur among the bishops of England and Wales, now so sitting and voting."

To the whole of that passage he should object, and move that it be omitted.

Mr. V. SMITH said, it appeared that he had not made himself completely understood. He agreed with the right hon. Baronet that the two questions were involved together in the preamble; and it was because he thought so that he had asked the noble Lord to omit a portion of the preamble.

Lord J. RUSSELL, before adverting to the question put by his right hon. Friend, wished first to say a few words with reference to the statement of the hon. Member for Montrose, which that hon. Member founded on the speech of the right hon. Baronet opposite—namely, that the present Bill sanctioned the violation of a compact. Now, the whole of the statement on this point, contained in the first report of the Ecclesiastical Commissioners, and which was signed by the individuals to whom the right hon. Baronet had already alluded—the Archbishop of Canterbury, Lord Lyndhurst, the Bishop of London, Sir R. Peel, &c.—was to the effect, "that they were not prepared to recommend any increase in the total number of episcopal sees." Now, to say because these Commissioners, upwards of ten years ago, were not prepared to recommend an increase in the number of the bishops, that that should bar for all time any Government against increasing the number of the bishops, was, as he had said the other day, carrying the doctrine of finality to an extraordinary extent. The hon. Member for Montrose had also been pleased to refer to the authority of the right hon. Baronet (Sir J. Graham) in support of his allegation that it was impossible, in consequence of what he designated a compact formerly entered into, to proceed with the present Bill, or to create new bishoprics, entirely forgetting the important circumstance that the right hon. Baronet had expressed his readiness to go into Committee on the Bill; and not only to do that, but also in Committee to maintain the separation of the sees of St. Asaph and Bangor, which, by an existing Act of Parliament, were to be united, and likewise to consent, under the circumstances of the case, to the creation of the new bishopric of Manchester. Such an authority, in support of a compact which would be broken by the creation of more bishoprics, was certainly never before produced in that House. He should now refer to his right hon. Friend's (Mr. V. Smith's) question. The right hon. Baronet (Sir J. Graham) argued, that though it was right to assent to the two propositions contained in the Bill for repealing the Act of Parliament which would unite the two sees of St. Asaph and Bangor, and for the creation of the bishopric of Manchester, it was nevertheless proper to stop there, and not to agree to the creation of any more bishoprics; and that, as there was one bishop thereby to be created, it would not be proper to violate the general rule and law of the constitution, by which every bishop on his nomination was entitled to a seat in the House of Lords. Without going much into detail on that question, he begged the House, before going into Committee, to observe how the whole argument on the point hung together. If it were right only to assent to the present measure as one merely in some degree giving satisfaction to the Principality of Wales, and at the same time remedying particular defects in the diocese of Chester, then it followed logically and fairly that, having only one new bishop, it would not be right to establish a new rule, and to make that one bishop an exception to all the rest, the addition of another prelate to the number already in Parliament not being such an addition as needed to alarm any one on the score of ecclesiastical preponderance in the House of Lords. He admitted that in that case all the argument of the right hon. Baronet was logical and consequential. But the Government took quite a different view of this question. The Government did not think it would be wise to say that there should be only one additional bishop, and that the wants of episcopal superintendence would be satisfied by the creation of that single bishop. The Government thought, and had advised Her Majesty to issue a Commission declaring the same view, that other dioceses which had greatly increased in population should also be divided, the present bishops therein being relieved of part of their duties; and that, instead of one new bishop, four new bishops should be created. Now, he thought, notwithstanding all that had been so ably stated by the right hon. Baronet, that the Government had grounds for coming to that decision. He could not think that it was enough to say, "Here is a sum of money, some 16,000*l.* a year, required for the payment of four new bishoprics; and that sum would maintain a number of working clergy." It appeared to him that they must regulate the machinery of the Church according to the circumstances of the times. With respect to what might be the peculiar duties of the bishops, he differed very much from the right hon. Baronet opposite. He was not going to make any exaggerated statement as to those duties; but all he maintained was, that having a Church which was intended for the population of this country, it was fit from time to time to adapt the Government, the machinery, and the regulating powers of that Church to the circumstances of the day, and to the increased number of the population. He believed that this was done by all other religious communions. With respect to the Roman Catholic religion, when it was found that the members of that community increased, the number of the bishops or vicars apostolic was increased. The Presbyterians and Wesleyans would likewise increase the number of their districts and stations in proportion to the number of their flocks. The union of the Church of England with the State ought not to prevent it enjoying the same advantage. It ought not to be the only religious communion in the country which should not increase the number of the governing and regulating heads of its Church, while, at the same time, pastors among the inferior clergy and the population had increased. If the counties of Lancaster and Chester had increased in population from 300,000 or 400,000, at the most, to 2,000,000, and if the number of the clergy had gone on increasing in a similar proportion, it was but reasonable, if one bishop was formerly adequate for those 300,000 or 400,000 persons, and a proportionate number of clergy, to believe, when the population and the clergy had increased so much in numbers, that two might now be required for the proper discharge of the present duties. In saying this, he did not think he was stating anything which showed an inordinate love of episcopacy. It seemed to him to be a principle belonging to every communion, ecclesiastical or civil, to every commercial house, and to every railway company, that in proportion to the quantity of business done should be the amount of the superintendents at the head of the establishment. Such would be the rule followed by any rational body of men, looking only to the good management of the concern to which they belonged. He admitted that the right hon Baronet was perfectly consequential in his proposal; and now he begged the attention of the House while, in answering the question of his right hon. Friend (Mr. V. Smith), he showed that it would be hardly consistent with the views of the Government to agree to his proposition. The usual Motion, after the House resolved into Committee on a Bill, was that the preamble should be postponed; but he confessed that he thought in the present case the preamble to be so important, as containing the propositions to be carried into effect, that instead of making that usual Motion he should propose in Committee that the preamble should be immediately proceeded with, and should not be postponed. They would then come to the recital that Her Majesty had issued this Commission. As a recital, it did not bind the House or Parliament; and it might be the opinion of Parliament that no other bishop should be created; but at the same time the Government thought that the recital was proper, in order to lay a groundwork for the second clause, which set forth that the Bishop of Manchester was not to sit in Parliament. He agreed with his right hon. (Mr. V. Smith) that the words in the second clause, "The above-named four new bishoprics," ought not to be introduced, because, being in an enacting clause, they seemed to refer to an enactment; but with respect to the preamble, it set forth merely the terms in which Her Majesty had directed the Commission to be issued, and consequently only contained the statement of a fact. It was not a question on which the House was asked to legislate; but in making the statement of a fact, he thought it laid a foundation for the second clause. If the Government merely intended that there should be a Bishop of Manchester, and had not at all in contemplation that there should be any other bishoprics hereafter, then he thought it might be just to say that the new bishop should sit with the rest in the House of Lords. That, he admitted, would be a fair argument; and such he understood to be the view of the right hon. Baronet (Sir J. Graham). But while he would not ask the House to bind itself that there should be four new bishoprics, so that the House, on being acquainted with the report of the Commissioners, might hereafter come to the conclusion that there should be two, or three, or five new bishops, according as it thought the preferable number; yet he believed that the House should lay some foundation of the kind in the preamble, if it meant to assent to the principle proposed by the Government that the new bishops should not sit in the House of Lords. As the right hon. Baronet's proposal was perfectly logical and consequential, so, likewise, was the proposal of the Government. The Government thought that there was a sufficient number of bishops already in the House of Lords to represent the Church in that House of Parliament. They thought that the increase of the ecclesiastical power in the House of Lords, by the addition of four new bishops, might justly give rise to jealousies, especially among those who dissented from the Church of England. The Government, therefore, proposed that the new Bishop of Manchester, and the other new bishops mentioned in the present Bill, should for a certain time not be Members of the House of Lords. Thus, supposing each bishop should occupy his see for twenty-four years, still the succession of the bishops in the House of Lords must proceed at such a rate that on the average more than a year or two could not elapse before one of the excluded bishops would enter into Parliament. He would call the attention of the House to the statement in the first report of the Commissioners in regard to the expenses of the bishops and archbishops. The report stated—

> "That in considering the income of bishops and archbishops, regard should not only be had to the expenses incurred in journeys for ordinations, consecrations, &c., in maintaining a house in London—in keeping up a dignified hospitality—in contributing to all objects connected with religion and charity; but to a burden which pressed heavily upon newly-created bishops—the unavoidable expenses of their appointment—expenses which swallowed up a whole year's income in large sees, and more than a year's income in small ones."

If that were the case, he thought it to be desirable that the bishop on his first creation should not be put to the additional expense of having a house in London, and attending constantly in the House of Lords, and also to the inconvenience of being kept away from his diocese, at a moment when it was desirable that he should form an acquaintance with the clergy and circumstances of his diocese. For this reason it was, that when the proposal was made to the bishops generally that for a time the new bishops should not have a seat in the House of Lords, the Archbishop of Canterbury was able to inform him, that though he had expected that that proposal would meet with a good deal of objection, he found but little urged to it, the bishops taking those circumstances into consideration. With these views while he should assent to the amendment of the second clause, by omitting the words referred to by his right hon. Friend, he was not prepared to change the preamble or to make other changes in the Bill. He repeated, that he thought that the right hon. Baronet (Sir J. Graham) was consequential and consistent in his proposition; but he considered the scheme of the Government to be the better of the two. Under the circumstances he proposed that, on going into Committee, the preamble should be immediately considered, and not postponed, as usual.

MR. TRELAWNY thought there could be no doubt the Government intended to extend the alliance between the State and the Church. The Government had a certain sum of money to dispose of, and the question before them was, what were they to do with it? He considered one of the best modes of appropriating it would be in educating the people, in giving them unsectarian education. Another would be to employ it in increasing the efficiency of the working clergy. Many members of that useful body existed on miserable stipends. It had been shown that some of them had but the wages of a day labourer, while thousands were spent in building palaces for bishops. He approved of the voluntary principle, and objected to the present measure that it favoured one particular sect; its only effect would be to make jealous and hostile sectarians, and an idle clergy. He thought the use of bishops had been much exaggerated; what was the *rationale* of the institution of bishops? It was to enforce good discipline among the clergy, and ensure uniformity of doctrine. How far had the episcopacy obtained those results in the Church of England? Doctrine changed from one day to another; were any two members of the Church prepared to write down their doctrinal opinions separately and compare them? Would they be found identical? On the contrary, scarcely two men could be found holding precisely the same opinions on points of faith. In proof of this, he need only advert to the difference of opinion between the Tractarian and Low Church party; could any one say they were partakers of the same form of belief? He much questioned whether bishops had not in some cases done more harm than good to the Church. In the part of the country from which he came, he had known the interference of the bishop do more harm than good, though it was undertaken with the best intentions. The right rev. Prelate was animated by the desire to benefit the Church; but he had certainly done mischief. He could point out instances in which the "taking order," as it was called by the bishop, had set the diocese on fire from end to end, bringing scandal on the Church, and making the Dissenters outrageous against it. The working clergy were a useful body of men; they often acted as the physicians and lawyers of the people as well as ministers, and frequently with incomes amounting to little more than the interest on the money spent on their education. If the bishops were overworked, they might be relieved from their legislative functions in the other House of Parliament. Altogether, he thought it would be better to postpone the measure, that the subject might be thoroughly considered in another Session and another Parliament.

Mr. ENTWISLE objected to the description given by the hon. Member for Tavistock (Mr. Trelawny) of the *rationale* of the office of bishops; he said they were only placed in the Church to secure discipline and uniformity of opinion. He would not enter on the question that must be involved in any discussion of the constitution and order of bishops. But he must express his surprise that any member of the Church should say he saw no more than this in the episcopacy of this country. He believed the opinion of the hon. Member would be disclaimed by the great body of the Church of England, and thought the statement ought not to pass uncontradicted in that House. The hon. Member, in his liberality, might feel at liberty to show no favour to that Church; but, as long as the connexion between Church and State was part of the theory of the constitution, it would become the hon. Member, at least in his legislative capacity, to adopt the theory the State adopted, and recognize the Church as a part of the constitution. If he disapproved of it, he might make a proposition to repeal that part of the constitution; but, as long as it existed, he was bound, as a legislator, to acknowledge it. With regard to the measure itself, and the second clause of it, he adhered to the opinion he had before briefly expressed—that it would be better to exclude the new bishop permanently from a seat in the House of Lords, than to disturb the privilege attached to the old sees, which had always entitled their bishops to sit in Parliament as temporal Peers. If they thought the whole number of bishops in Parliament ought not to be finally increased, it would be better to exclude the new bishops altogether, than to make the Bill not only a measure of enactment but of deprivation. They had no right to introduce the principle of deprivation, or to trench on the privileges of the ancient sees. He should vote for the retention of the second clause, but should wish to exclude all that part of the measure which established the principle of rotation to the vacancies in seats in the House of Lords for the several dioceses.

Mr. ROEBUCK said, in treating the measure before the House, he should sweep away at once all that class of objections to the Bill in which he did not coincide. He did not agree with those who objected to the exclusion of the new bishops from seats in the House of Lords; he did not object to this proposition, because he thoroughly concurred with the feeling expressed by the noble Lord, that a great part of the public would view with great suspicion the increased influence it would give to the Church Establishment; he thought it would be extremely unwise in any Government to add to that suspicion, by increasing the number of irresponsible legislators in the other House of Parliament. It should be recollected, that bishops did not come to the House of Peers with the same associations as the hereditary nobility. However much the hereditary Peers might be irresponsible, still they were surrounded by associations which necessarily governed their conduct, and made them obedient to public opinion. He conceived, that the portion of the House of Lords composed of the ecclesiastical body could not have any of those peculiar safeguards which surrounded the hereditary aristocracy. The bishops were not usually sent to the House of Lords from anything but very peculiar family connexions; it could not be said they were any assistance to the legislation of the country; he therefore agreed with the noble Lord, there could be no wisdom in increasing the number of the bench of bishops. He did not share the feeling expressed against establishing the principle of the bishops sitting in the House by rotation; it was not a new principle—it had been established many years with regard to the Irish bishops: one year the seats were held by one set of Prelates, another year by another; nor had he ever heard any apprehensions entertained of a disruption of the episcopal bench as likely to be the consequence of that system of rotation. Neither did he believe any danger more than that inherent in the institution itself was likely to arise from the principle proposed that those bishoprics that had hitherto conferred on their holders a seat in the Peers, should no longer necessarily confer that privilege, but that the same number of seats should be distributed among a larger number of bishops. By a sort of fiction, though originally there was some reason for it, the bishops were supposed to sit in the House of Peers by right of certain baronies supposed to be hereditary in their bishoprics; consequently, being supposed to be barons, they were summoned to Parliament in that character. So strong was this principle that the Crown might omit to summon any one bishop, and yet it would have a perfect House of Lords. He now came to his serious objections to the Bill. The noble Lord, by an accident not very common to Administrations of which he was the head, found himself in possession of a surplus revenue; by an arrangement made before by Parliament, a surplus revenue had been extracted out of funds applied to ecclesiastical purposes. They had heard no complaints that the diminished revenue of the present bishops had, in any way, made them less efficient for their spiritual and episcopal purposes. It might excite some ridicule, but he was bound to say, his abstract notion of a bishop did not include the idea of a legislator. His notion of a bishop was derived from the New Testament; he thought a bishop was a spiritual overlooker of certain other portions of the Church. Then came the question of what the overlooker ought to do: though his hon. Friend (Mr. Trelawny) had been taken to task for it, he had very accurately described the spiritual purposes for which the office of bishop was instituted. He had named them correctly; the end was to enforce the canonical rules, to impress them upon the clergy, that they might be fitted for clerical and spiritual purposes. [Mr. ENTWISLE: Ordination.] The hon. Gentleman might attach an important idea to the word ordination; but he (Mr. Roebuck) did not want to enter into that kind of discussion; and the hon. Gentleman should recollect when he accused his (Mr. Roebuck's) hon. Friends of deviation from the constitution, he was arguing in the way he did not intend. According to the doctrine held by the hon. Gentleman, in his character as legislator, sitting in Parliament he ignored any preference he might have for a peculiar religion; the moment he crossed the Tweed he contended that the Church of England was the Established Church, totally regardless of his own dogmata; so that, as a legislator, he had an elastic conscience even in that particular. There was in fact no part of our dominion in which the principle laid down by his hon. Friend, and caught at by the noble Lord, did not prevail, or was not acknowledged and acted upon. What in India were the dominant religions but Mahommedan and Hindoo? what in Lower Canada but Roman Catholic? what in Scotland but the Presbyterian? And in England, they had the Episcopal Church established by law. He then returned to the point at issue. The noble Lord, by that accident so marvellous, had a surplus—positively a surplus; and what at this juncture of strange events were they required in reason to do with the surplus? They might talk from this time to November next about the beneficent business of bishops; but to this question, in reality and gravity, did they come at last. There was a surplus from the ecclesiastical property; and they, the people of England, wanted to know how this was to be applied. What was the plain feeling, the palpable opinion, among the people of this country? What, whether they met their countrymen gathered together in a body, in the highways, or in a populous town—no matter where they found the educated and intellectual men—what was that principle which all were heard to echo and describe and accept as the true one? Why, that there should be no political difference arising out of religious feelings. And what was the proposal before the

House ?—what but, in the end, to apply the proceeds of the revenues of this country belonging to the people of England ? The Church was the people—it was not the clergy ; therefore, he asserted, this property from the ecclesiastical fund belonged to the people, and of right should be applied to the purposes they pointed out. Now, what at this moment did the people most require ? Surely not bishops; or, if they must have bishops, surely they could do without the pomp of palaces, costing thousands of pounds ; surely this was not absolutely essential to the existence of spiritual overlookers ? Were the men whose profession involved the acknowledgment of the humility of their nature —were the successors of the Apostles so especially nice in their associations, so particulary luxurious in their habits, that they could not make the Gospel reverenced, and carry out all possible episcopal purposes, without palaces costing 60,000*l.* ? Yet this hon. Gentleman opposite meant, or they meant nothing; and this they recommended as the object of a stray surplus, and at a time when their ears rang with the cries of starving millions in Ireland—when there was starvation in England, and starvation, alas ! also in Scotland. Why he would say it was a shame, a mockery and a shame, that, in the dire and dreadful condition of their countrymen, they should squander a surplus to grant to the famishing as the only legislative comfort another bishopric. What did the hon. Member for Tavistock say was another resource—educate the people. Did they not recollect the day when the noble Lord incribed on his banners the Appropriation Clause ? And did they hear anything then of new bishoprics ? Now, however, there was little care for education; the educators now were first thought of ; and they were asked to apply the surplus of the English Church to make four useless, well-paid, nay over-paid, luxuriously-housed bishops—this, too, at a day when the people were straining every nerve and directing every energy to escape from that jeopardy into which sudden calamities had plunged them —this, of all times, was the time chosen for erecting four such spectacles of luxury and inutility. The noble Lord might remember a suggestion which he (Mr. Roebuck) had tendered some weeks ago, having reference to the wisdom and propriety of dropping Bills that were sure not to pass—a suggestion, he might remark, which had not been received with any very kindly feelings by the noble Lord, but which, as a prophecy, had been fulfilled to the letter. The advice had been ultimately, perforce, accepted, though it could not then be followed with much grace; and what were the Bills which the noble Lord had thought fit to withdraw as the least valuable of the Ministerial list ? There was one, admitted by the noble Lord himself and his noble Colleague at the head of the Woods and Forests, peculiarly affecting the welfare of the people—the Health of Towns Bill; that one which he (Mr. Roebuck) had pointed out to the noble Lords as not likely to be passed, which they could not pass, though it was the one they most earnestly attempted to pass. There was another measure affecting Ireland, applying to the incumbrances on Irish estates, described by the right hon. Gentleman the Member for Tamworth—who was afterwards re-echoed by the noble Lord, as the most important of all the important Bills of the Session; and this, too, had gone in the general rout. These were the Bills brought in with great show of care, with many flourishes indicating concern for the condition of the people; frequently, in the course of the Session, represented to the House as of the utmost consequence; and these were the Bills which by some fatality in the crush of public business had been remorselessly cast aside. Amid the direful evils by which the people of Ireland and England had been beset, " these," said the noble Lord, " shall all go ; but there is one thing near to my heart—the making one bishop, and the promise to make three more." And so, at this time of day, when their very hours were numbered, the noble Lord kept them there, in that stifling and overheated atmosphere—though it was the coldest he (Mr. Roebuck) had been in for many hours—working and sweating for the purpose of carrying out a Bill for the preposterous purpose of bestowing on the country four additional bishops. They had been charged with wasting time that Session ; but with this climax they would not be amenable to the imputation of having done nothing. Was there ever such a selection, was there ever such an insult to any body of men ? Why, of all his other measures, had the noble Lord adhered with most fondness to that most likely to call forth the cheers of hon. Gentlemen sitting on the Opposition side of the House ? They were now all going to have a great fight with hon. Gentlemen opposite ; and every one who now cheered on the noble Lord, would take advantage of this very proceeding. The noble Lord was preparing an ordeal for himself when he went to his constituents of London, who, it was to be hoped, would again make him their representative. This would make one point in their catechism. In the very exultation of their hearts, those whom it might be supposed he would win over, would first put the question for the hearing of others—"Did you not propose four new bishops?" And were they not all on that side of the House in the same boat with the noble Lord—were they not all dragged into the danger of this most fatal selection? Then they had a right to raise their voices in complaint; and, indeed, if the noble Lord had exercised his utmost ingenuity with malice aforethought to do them and himself an injury, this, of all others, was the Bill which he would have pitched upon for especial approval and support. On that ground he objected to such a proposal as that now made by the noble Lord. He should have objected to it at any time: he objected to it particularly at this time. He was utterly unable to conceive how the noble Lord, in the midst of our national difficulties, and conscious, also, of the jealousy and suspicion prevailing in every class of the community of any increase in church power, could have brought in a Bill which had, on the face of it, that grand mark which no human being could misunderstand, and based on the principle of setting up one section of the English world, on account of religion, and by religion, above all others. If it had been, as an hon. Gentleman had observed, creating four bishops without reference to one religion or the other—to Methodism, or Mahommedism, or Catholicism, then the folly would be socially harmless. It would not be a preference of one body of men, politically, in other respects, equal, over another; but this was setting up prominently the people of the Church of England, and making them again a mark for every Dissenter of every shade to point at. But, argued the noble Lord, the institution already existed—we are only going to extend it. Why, the noble Lord must know that Maynooth existed before we meddled with it, and so long as it was in the background, in its old form, no outcry was raised against it. The hon. Baronet the Member for the University of Oxford used to get up once a year and make his well-remembered speech—stereotyped, it might be called—for the satisfaction of the hon. Member for Montrose, and that was all; the blow fell impotent, like the javelin of the weak old Priam. Then all was quiet, the sin was left especially to the care of the hon. Baronet; but when the right hon. Gentleman the Member for Tamworth proposed to extend the Maynooth grant, the feeling arose from one end of the country to the other that this was an increase of the power of Catholicism—that it was creating distinction between religious sects—that it was granting to the one what was withheld from the other. The whole kingdom was stirred, all classes were excited; the old sentiments of religious intolerance got abroad; and at this moment, they would have to encounter it in whatever corner they were to travel. This was the effect of the advance of the right hon. Baronet; and the noble Lord, unmindful of the consequences, was doing exactly the same thing; and for what purpose? Was there any sort of justification for it? The noble Lord had told them that the population had increased, and that the superintendent functions of the bishop must be proportiond in activity to the Protestant flock. Had the noble Lord ascertained if the Catholics and Dissenters had increased? The noble Lord pointed to Manchester. Manchester of all places! Had the noble Lord taken any pains to ascertain how many Catholics and how many Dissenters there were in the increased population of Manchester. If he had inquired, the noble Lord would have found that in that district the large majority of the increase was composed of Catholics and Dissenters. Therefore, these bodies must not be numbered among the population requiring more bishops. They were informed, however, very complacently, that bishops were necessary to the welfare of the Church. Now, let the condition of the bishops be compared with that of the working clergymen. Was there no danger in the contrast? Let the noble Lord cast his eyes back to the memorable year of 1789, and ask himself what it was that enabled the French populace to put down and conquer the nobles of that country. It was because the working clergymen were ill-treated, underpaid, reduced in condition as gentlemen, yet expected to perform all the duties of highly educated men, and to maintain their position as leaders of the people, upon a miserable stipend—all that was left to them by the aristocratic avarice of the higher and dignified clergy. So in England now, as the hon. Gentleman the Member for Cockermouth showed, we had some thousand educated gentlemen, acting as clergymen of the Church of England, inculcating, as undoubtedly they did, much of useful learning and sound morality, by example and precept, and labouring in their vocation on the miserable wages of something under 100*l*. a year. And at the same time, we lavished, with an extravagance which was criminal, on a dozen high people—truly ornaments of the Church—sums that would be adequate to the pay of hundreds of hard-working subordinates. With the bishops came the palaces. Why, if there was one thing more than another which should call down the indignation of Providence, so often suggested when aid was given to Roman Catholic fellow-subjects, it was this; and it was surprising that those hon. Gentlemen so fond of arming themselves with God's thunder, had not levelled their customary weapons at the proposal. He wanted to know, would the money of the people of England be better employed in making these four bishops, or in educating the people, or in paying the working clergy? How were they to benefit the people by passing this Bill? Then the other question was, would they in this way benefit the Church? Hon. Gentlemen opposite replied in the affirmative; their cheers, of which he had read, and which he heard, were very easy to understand. But they might learn, in spite of the old doctrine, from an enemy, and of course they looked upon him as one. They might depend upon it, there never was so mischievous a thing done to the Church as accepting this proposition. They might depend upon it, that all the enemies of the Church would lay their hands on this blot, and point their finger eternally at this stain upon their escutcheon. No doubt, a different opinion was entertained by those who favoured the Bill. The noble Lord had intended to do no harm; but certainly it must have been the fatal influence which, this Session, had attended his Administration, that had induced him to attempt to give Parliamentary life to such a proposal. With these remarks he would conclude, without calling on the House to divide again. He had freed his mind from the load by which it had been oppressed. It should not be said that he had been a party to the proceeding. He was prepared to be accused as an enemy to the Church; but, incurring that odium, he would be content with saying that he considered he best promoted the true interests of that body called the clergy of the Established Church of this country, by enabling them as a class to become working, worthy, and meritorious ministers of religion; able, as they were wishful, to educate the people whom they had in charge, and by freeing them from the anxieties with which, as gentlemen of high feeling, they must be beset, in finding themselves in a condition of helpless poverty, and incapable by position of effectually discharging the duties of the holy office to which they had been called.

MR. BROTHERTON said, that, however he might be opposed to the principle of the Bill, he had ever paid high respect to the opinions of the House. After two majorities, against the opponents of the Bill, of which he was in the proportion of six to one, he thought further opposition useless, and recommended that they should go into Committee, in order to urge their objections in detail.

MR. B. ESCOTT could not agree with the doctrine of the hon. Member who spoke last, that because two divisions had taken place with large majorities in favour of the Bill, the opponents of it should rest content, or that this was any reason why those who represent the people in this House should not divide again. [Mr. DISRAELI and Lord G. BENTINCK: Hear!] Yes, the hon. Member and the noble Lord might cheer; but he would be glad to know if the people they represented, or wished to represent, were favourable to the Bill? They would allow him, humble as he was, to say he thought no great body of the people had expressed any opinion in favour of this Bill. The hon. Member for Shrewsbury had done him the honour of cheering him when he spoke of the representatives of the people. He honoured that hon. Member for his abilities, which had given him a fair claim to stand before any portion of the people to represent them in Parliament; but he wished the hon. Member would ask the farmers of Buckingham, the next meeting of them he attended, to propound either popular opinions or liberal principles, if they were all of one mind, and all determined to have four new bishops. He doubted if the hon. Member would find the agricultural mind unanimous on this point. He wanted to know the hon. Member's reasons for supporting this Bill. He had formerly endeavoured to gain enlightenment from the philosophical lessons with which the hon. Member was wont to enliven the political discussions in that House; and he wanted to know his reasons and arguments on this occasion also. The noble Lord the Member for Lynn had not yet stated to the House the arguments on which he thought this great increase to the power of the Church should be advocated. There was a large body of the agricultural community who from the highest to the lowest, had great confidence in his ability and consistent character; and in justice to them the noble Lord should state his reasons for supporting it. After the speech of his hon. and learned Friend who had just sat down, he must be a bold man indeed who thought he could add much to the arguments against the Bill. That speech would not only stamp his hon. and learned Friend as a defender of the rights and liberties of the people, but would show that his hon. and learned Friend ranked amongst the truest defenders of the Church—for surely those were the best friends of the Church who would not vote for its aggrandizement at the expense of the interests of the humbler classes of the community. An hon. Gentleman who had spoken said they had no right to complain of this measure, because it did not propose to take any money from the people. But the question was, not where the money came from, but whether the money they had at their disposal was to be properly applied. He wanted the hon Member for Shrewsbury to prove that it was for the interests of the people and the Church that the money which had accrued under the Ecclesiastical Commission, and was available for educational purposes and the benefit of the Church, could not be more properly applied than to the creation of four bishoprics. He should not be deterred from doing his duty by any taunts of factious opposition, which was the common language of those who held office, or wished to retain the present holders in office for selfish purposes of their own. Such a Bill as the present might secure their temporary retainment of office, but it would lead as certainly to their final ruin.

The House divided on the question that the Speaker do leave the Chair:—Ayes 63; Noes 18: Majority 45.

List of the Ayes.

Acland, T. D.
Antrobus, E.
Bannerman, A.
Baring, rt. hon. W. B.
Bentinck, Lord G.
Borthwick, P.
Bowles, Adm.
Brown, W.
Buller, C.
Cholmondeley, hon. H.
Christie, W. D.
Clive, Visct.
Colebrooke, Sir T. E.
Cowper, hon. W. F.
Denison, J. E.
Dickinson, F. H.
Disraeli, B.
Duckworth, Sir J. T.
Dundas, Adm.
Dundas, Sir D.
Entwisle, W.
Ferguson, Sir R. A.
Frewen, C. H.
Gaskell, J. M.
Goulburn, rt. hon. H.
Graham, rt. hon. Sir J.
Greene, T.
Grey, rt. hon. Sir G.
Hamilton, G. A.
Hatton, Capt. V.
Hawes, B.
Hobhouse, rt. hon. Sir J.
Hope, A.
Hornby, J.
Jervis, Sir J.
Labouchere, rt. hon. H.
Law, hon. C. E.
Legh, G. C.
Macaulay, rt. hn. T. B.
Maule, rt. hon. F.
Mundy, E. M.
Newdegate, C. N.
Nicholl, rt. hon. J.
O'Brien, A. S.
Parker, J.
Plumptre, J. P.
Plumridge, Capt.
Polhill, F.
Repton, G. W. J.
Rich, H.
Richards, R.
Russell, Lord J.
Ryder, hon. G. D.
Sandon, Visct.
Somerville, Sir W. M.
Stuart, J.
Thesiger, Sir F.
Tollemache, J.
Tufnell, H.
Turner, E.
Vivian, J. E.
Wortley, hon. J. S.
Wynn, rt. hn. C. W. W.

TELLERS.
Hill, Lord M.
Ebrington, Visct.

List of the Noes.

Aglionby, H. A.
Aldam, W.
Brotherton, J.
Clements, Visct.
Collett, J.
Currie, R.
Duke, Sir J.
Escott, B.
Hastie, A.
Horsman, E.
M'Taggart, Sir J.
Molesworth, Sir W.
Philips, M.
Roebuck, J. A.
Thornely, T.
Trelawny, J. S.
Wakley, T.
Williams, W.

TELLERS.
Hume, J.
Osborne, B.

House in Committee. On the Motion that the preamble be read,

Mr. J. COLLETT moved that the Chairman report progress, and ask leave to sit again.

Mr. HUME was ready to agree to the former part of the Motion, but protested against the Chairman asking leave to sit again.

Mr. B. OSBORNE thought the noble Lord was dragging himself and his Friends to ruin. He had no prejudice against factious opposition, which, when directed against bad measures, might be a very good thing. But why divide that the Chairman might ask leave to sit again? God knew he had no wish to see Mr. Greene sit in that chair again.

Mr. J. COLLETT begged to amend his Motion by leaving out the latter part of it.

Mr. B. ESCOTT could not join in opposing the consideration of this Bill in Committee, after the decision of the House.

Mr. ROEBUCK said, it was quite clear that if they persevered they would be attempting to make a minority the tyrant over a majority in a deliberative assembly;

but he thought they were bound to pay respect to the decision of the House. He hoped the hon. Gentleman would not press his Motion to a division.

MR. BROTHERTON could be no party to a factious course of opposition.

MR. WAKLEY was prepared to avail himself of the power given by the forms of the House, which had been established because their forefathers saw the necessity of giving this protective power to the minority. These forms were not mere words, they were necessary for the protection of the minority. If in all cases the will of the majority were to be the rule and governing power, the minority in this country would have no power or influence whatever. Then arose the question whether the minority, if it were sincere in opposing the measure, ought to carry the rule of the House to its extremity, and exercise to its utmost limit the power which the forms of the House conferred. In this case it was very clear that several hon. Members considered that they were perfectly justified in exercising those powers which were bestowed on the minority for the maintenance of public privileges by that House. Was this one of those cases? He must say that he thought it was. He took leave, after mature reflection, to express the opinion that this was one of those cases. It must not be inferred that the minority who opposed this Bill were unfriendly to the Established Church: that would be a most unfair inference. He could say that he, for one, had always been friendly to the Church, believing it the most tolerant religious institution in the world. The Church ought to have its just weight and influence in the country; and he had always thought that the presence of the bishops in the House of Lords was injurious to the utility of the Protestant Church of England. He should think it a very great evil to add to the number of spiritual Peers. If they did not persevere in their opposition to this measure, it might be said out of doors that they had an opportunity of preventing the Bill from being enacted, since the forms furnished them with such an opportunity; and yet, having made declarations of opinion, when the actual struggle arrived, they shrunk from it, and showed that they were not sincere. The noble Lord at the head of the Government seemed to have a peculiar mania to commit suicide, and he was at it again. The noble Lord ought to know what he was about, from the manner in which he was cheered on the other side of the House. The noble Lord, in his zeal for the Church and episcopacy, did really not understand what he was doing. But on that (the Opposition) side of the House the thing was perfectly well comprehended; and if the noble Lord pursued the course he was now pursuing, the exercise of his (Mr. Wakley's) functions would be very soon again required. He could not forget that the noble Lord was a reformer when a reformer was detested and maligned; he remembered the noble Lord's services, he appreciated them, and the recollection of them would remain with him so long as he had memory; he was sorry, therefore, to see the noble Lord place himself in a false position. The noble Lord would meet with no gratitude in the course of a year or two from those who were now cheering him on his course to ruin. On the contrary, he would see beforehand that there were persons who would smile at his fate, and exult in the conviction that the Whig Minister had once more slain himself. Why should the noble Lord pursue the course he was now taking? Admitting that the noble Lord was most sincere, and was doing it from the best possible motive, let him appeal to Manchester. Did the people of Manchester desire the Bill? The noble Lord was the advocate of popular opinion, and wished that it should exercise its just influence in that House; but did the people of Manchester, for whose good it was declared that the bishop was created, desire that the thing should be done? Had there been a single expression from them of an opinion that either their temporal or spiritual condition would be benefited by the Act which the noble Lord contemplated? He (Mr. Wakley) saw one of the Members for Manchester in his place (Mr. Philips), but he did not see the other; and a reason could be easily conceived why that right hon. Gentleman had not thought proper to be present on this occasion. He was connected with the noble Lord and his Government; he knew the people of Manchester did not desire to have this arrangement carried into effect; but as it would be contrary to usage and etiquette for him to give a vote against the noble Lord, the hon. Member had not thought fit to be in his place. He appealed to the noble Lord to appreciate the position in which the minority were placed on the present occasion, and then to say whether it were just to brand them with conducting a factious opposition without reason and principle, if in that position they took advantage of those forms which had been handed down, not merely for reference, but for actual use on great occasions. Could the noble Lord expect the minority to abandon the advantage which those forms conferred upon them, seeing that the people of Manchester were against the Bill, and seeing from statistics which he could produce, that there was no necessity for two bishops to the sees of St. Asaph and Bangor? Would it not be better for the noble Lord, for his Government, for the public at large, for the convenience of the House, and, above all, for the great cause of religion, of which the noble Lord was so sincere an advocate, that he should relinquish this Bill now, and bring it forward in another Session, when the whole subject would have been investigated and fully understood by the public. Then, if public opinion was decidedly pronounced in favour of the measure, no opposition of the kind now complained of would be offered to its progress.

Lord JOHN RUSSELL: The House had decided by a large majority to go into Committee, for the purpose of considering the details of this Bill; and the question now before the Committee was, that the Chairman report progress, and ask leave to sit again. He was surprised that the hon. Member for Finsbury should think that was a Motion which ought to be supported, and that it was his duty, in consequence of the sincerity of this opposition, to join it with a view of defeating the measure. With the astuteness of that hon. Member, it was wonderful he had not made the same reflections which had evidently occurred to the Members for Bath, Salford, and Manchester, and other opponents of the Bill, namely, that if the forms of the House were to be used for the purpose of defeating every Bill which a minority opposed, the consequence must obviously be that all measures to which there was any opposition must be stopped, and that the minority must in every case dictate the course to be taken, or else that these most valuable forms of the House must be altered. He called them most valuable forms, and they were so. If, for example, instead of proposing to proceed with this stage of the Bill now, at about nine o'clock in the evening, after some days of discussion, he had proposed, at one or two o'clock in the morning of yesterday, to go into Committee for the purpose of considering the details of the Bill, the proposal would have been so unreasonable that the use of the forms of the House to defeat it would have been perfectly justifiable. Therefore these forms of the House were most valuable to prevent the power of the majority from being unduly used. But because this power existed, was it to be used by every man merely because he opposed a Bill? The Reform Bill had been mentioned. That Bill contained a vast many more clauses than this. It was a measure to which very many Members of the House were most sincerely opposed. Was it to be argued that in a measure of that kind the forms of the House would have been justifiably used in Motions of this kind to prevent it from becoming law? Or take the case of the Corn Laws. The Bill to repeal those laws was certainly most sincerely opposed by very many hon. Members. But if they in their sincerity of opposition had used the forms of the House against the progress of that measure, why, neither the Reform Act nor the Act for repealing the Corn Laws would have found their place among the statutes of this realm; or else the forms of the House must have been altered to enable Parliament to pass them. He thought the hon. Member for Finsbury had not given due consideration to this matter, or he would see this as the obvious consequence of the course he advocated. He would not now say a word on the details of the Bill. None of them had been considered. If to any of them there were valid objections, let them be fully considered, and let the House decide by a division upon them. He had yet made no charge of factious opposition against the opponents of this Bill; but if the Committee was to be called upon to divide immediately after it had constituted itself a Committee, for the purpose of refusing to consider the details of a measure, for which object they had resolved themselves into a Committee, why then he confessed he knew of no word more expressive of the nature of such an opposition.

Mr. AGLIONBY said, that the question appeared to him to be really this, whether the matter was of such importance, and so deeply affecting the people of England, that the people would go with those who were taking this course in opposition to the Bill? He confessed he did not think they would, and, therefore, he hoped his hon. Friend would withdraw his Motion. Let them fairly consider the details of the Bill in Committee; but he frankly avowed his belief that the effect of this measure, if passed, would be, first, the ruin of the Government which had introduced it; and, next, the ruin of the Church itself.

Mr. ROEBUCK observed, that the object of these forms of the House was to ensure the fair discussion of a measure. When a fair discussion had been had, the minority ought to give way, and the forms of the House should not be used to prevent legislation.

Viscount CLEMENTS contended that the forms of the House were for a further object than merely to ensure a fair discussion of a measure; and he agreed with the hon. Member for Finsbury in the very able argument he had addressed to the Committee. The forms of the House were not merely to give the opportunity of fair discussion, but also to give the public beyond the walls of the House an opportunity of giving their opinion upon the discussions within them. He was surprised at the attempt to hurry a measure of such great importance through Parliament in the last week of the Session. As it had not been introduced earlier, it ought now to be postponed to the next meeting of Parliament. At the fag end of the Session there could be no fair discussion of a measure of this kind; and, therefore, in that view, the forms of the House might very properly be brought to bear against it. The allusion of the noble Lord to the Reform Bill and the repeal of the Corn Laws was unfair; for no comparison could be instituted between them and the present case. The course the noble Lord was pursuing with respect to this measure could neither tend to the advantage of his Government, nor to raise the dignity of discussion in that House. According to the noble Lord's own showing, the real spiritual want of the people was not bishops, but new churches and working clergy. He differed from every provision of the Bill, and would oppose the whole on every opportunity.

Mr. VERNON SMITH agreed with the hon. Member for Finsbury in his estimate of the value and importance of the forms of the House, and also agreed with the hon. Member for Bath in his definition of their object and use. The object of those forms was not to defeat Bills by such means as were now proposed. The hon. Member proposed that the Chairman should report progress, when no progress had been made to report. It was for the very purpose of maintaining the value and dignity of those forms, and because he would not have them frittered away in defeating a Bill in an improper manner, that he should vote against the Motion of the hon. Member.

Mr. HUME was anxious that the Bill should be withdrawn; but as the House had agreed to go into Committee, he should like to see what could be done with the measure, especially as he understood that it was proposed by a right hon. Member to amend the preamble and to strike out some parts of the Bill. For himself, he should vote against it on every occasion, and he did not care upon what grounds; but, at the same time, he would not advise his hon. Friend to take a course from which no practical benefit could be expected.

Sir W. MOLESWORTH wished to have the Bill postponed to see what were the feelings of the people of England on the subject. It was not supposed until Tuesday last that they would have been called upon at that period of the Session to assent to a measure for the erection of four new bishoprics. Some Members might know what were the feelings of their own constituents on the subject; but they did not know what were the feelings of the people of Scotland and Ireland, or of the distant parts of England—such as Cornwall. He, therefore, once more must recommend the withdrawal of this Bill.

Mr. JOHN COLLETT said, that he was generally willing to listen to the suggestions of those near him; but he could not do so on the present occasion; he, therefore, should divide on his Motion.

Mr. WAKLEY felt called upon once more to request his hon. Friend not to divide the Committee, but to wait, and let them see what alterations might be made in the Bill; for by doing so they might get rid of several of the most objectionable parts of it. If they should not be able to do so, then his hon. Friend might resort to steps to prevent its progress.

Mr. J. COLLETT said, that his hon. Friend the Member for Finsbury had at last convinced him. As for reporting progress, he candidly confessed he never wished to see the Chairman (Mr. Greene) in the Chair again.

Amendment withdrawn.

The Chairman read the preamble. On his coming to the words—

> "For establishing a bishopric of Manchester, and also, so soon as convenient might be, three other additional bishoprics, regard being had to the circumstance that Her Majesty did not contemplate the issue of Her writ to the new bishops to sit and vote as Peers of Parliament, except as

vacancies should from time to time occur among the bishops of England and Wales now so sitting and voting;"—

Sir J. GRAHAM said, that they had now arrived at the words to which he intended to object. He must first advert to the observation of the noble Lord, that the preamble was a mere recital of facts. He was justified by the rules of the House in saying that the preamble was something more than a mere recital of facts; for in it there were clauses, which were the inducements, as the lawyers termed it, of subsequent enactments. He had already stated, at very great length, last night his objections to this part of the Bill; and some severe comments had been made on what then had fallen from him. His hon. Friend the Member for Malton (Mr. E. Denison) observed with great truth on what he had said as to the evils which would arise from the continuance of the distinction between the Episcopal and Common funds, and that there should be only one fund both for episcopal and parochial purposes; and his hon. Friend noticed that he (Sir James Graham) had long been a member of the Ecclesiastical Commission which had sanctioned the distinction, and that this was the first time he had stated his objections in that House. This was perfectly true; but from the time he had discovered the separation of the two funds, he had strongly objected to the distinction, and there were persons serving with him on the Commission who were fully aware of his objections. He was asked also, entertaining such an opinion as a Minister of the Crown, why this distinction remained up to the present time? It had been continued up to the present time, because the statute under which the bishopric of Manchester was created rested on the contingency of the union of the sees of St. Asaph and Bangor. It was always presumed that the bishop of the see which was not vacant would concur in the wishes of Parliament, and take the two sees. It appeared, however, that the Bishop of Bangor had refused to do so when the bishopric of St. Asaph became vacant. The bishopric of Manchester was only to be created in case of the union of those two sees, and was to be endowed out of the Episcopal fund; and he believed that the surplus Episcopal fund was just sufficient to meet this appropriation already sanctioned by Parliament. He believed, also, there were funds not only sufficient for the endowment of the see, but also for the erection of a palace for the see of Manchester. He had always entertained the opinion that when the conditions connected with the see of Manchester were fulfilled, the necessity would arise of abolishing the distinction between the Episcopal and Common fund. The hon. Gentleman had asked him to watch and guard the Episcopal fund; he would do so most cheerfully and anxiously; and he would only ask the hon. Member to assist in protecting the Common fund against the assaults of the lessees. The hon. Member for Cockermouth had alluded to his separation from Earl Grey's Government, which he attributed to a difference with respect to the Church. He must beg to correct the hon. Member on this point. The question which occasioned his separation from that Government was not at all analogous to the point now under discussion. He did not believe the noble Lord or any of his Colleagues would say that he showed any disposition to differ from them as to the diminution of the number of bishops in Ireland. He was sure that his noble Friend, Lord Stanley, who proposed the measure for that purpose, would not say that he saw any disinclination on his part to diminish a superabundent episcopacy in Ireland. Lord Stanley was then a Minister of the Crown as well as himself, and they were responsible for the measure whereby two archbishoprics and eight bishoprics in Ireland were abolished in a single Act of Parliament; therefore, he could safely say, that it was not from any strong attachment to a great number of bishops that he separated from Earl Grey's Government. He, however, adhered to the opinion on which he separated from his then Colleagues on the subject of appropriating ecclesiastical funds. He was still opposed to the appropriation then suggested; and he would never accede to these funds being appropriated to other than ecclesiastical purposes. The hon. Member also supposed, in consequence of what fell from him, that he was desirous of paying his addresses to some Presbyterian constituency. It must be, then, to some Free Church on this side the border; for he could not believe, after what had passed, he could easily obtain plenary absolution on the northern side of the border; therefore, whatever might have been the inducements for him to have taken the course which he did, he was sure anything so unworthy as the motive suggested by the hon. Member could not justly be imputed. In the matter which they were now about to take into consideration, two important changes were proposed. The first was the continuance of the two sees of St. Asaph and Bangor disunited; and then it was proposed that there should be four additional bishoprics, including Manchester. The noble Lord at the head of the Government had done him ample justice with respect to the views which he had expressed yesterday on this subject. The noble Lord had been pleased to say that he took a consistent and consequent view of the subject, although he differed from him; but the noble Lord did not find fault with his argument, or with the manner in which he had maintained his views. The noble Lord said that the population of the country had increased. He admitted this to be the case, and also that the spiritual wants of the country had increased. The question then was, which was the best mode of supplying the spiritual wants of the country. It was, whether an additional number of bishops or an increased number of parochial clergy, with more ample endowments, was most conducive to the interests of the Church. He meant by the interests of the Church not merely the clergy, but the large body of the people belonging to it. This was the single proposition to consider, and he should grapple with it according to the view which he took of the matter. He felt that there was no necessity for an increased number of bishops such as was proposed in this Bill; but he was of opinion, that there was a strong necessity for an increased number of the clergy. He might be charged with inconsistency in giving his assent to the creation of the bishopric of Manchester. If he were a responsible adviser of the Crown, he would not assent to the words introduced into the preamble with respect to the declaration of Her Majesty on this subject. He had said last night, that since he had left the service of Her Majesty, this had become a complicated subject. A large majority of the House of Lords had determined that the union of the two sees of St. Asaph and Bangor was inexpedient. But the case had become more complicated from what had since occurred, for they had not only the decision of the other House, but a declaration of Her Majesty that the union of the two sees should not be insisted on, and also that the creation of this diocese of Manchester, not waiting for the contingency he had before alluded to, should be carried into effect. He objected to particular words in the preamble, as involving something like an unconstitutional doctrine; and he doubted whether it was wise or prudent to make it appear that Her Majesty had declared her intention to adopt a course at variance with the stipulations of an Act of Parliament. In the 6th and 7th William IV., it was distinctly laid down. that the bishops and chapters of the two newly-created dioceses should be bodies corporate, and that the bishops should have all the same rights and privileges held and enjoyed by all the existing bishops of England and Wales. The question then arose—what were the rights and privileges of the bishops ? He did not think that it was necessary to trouble the House with going at length into this part of the subject; but certainly one of them was the right of sitting in Parliament. By the Act which he had just referred to, this right was clearly contemplated as regarded the Bishop of Manchester ; and it had been admitted in the case of the Bishop of Ripon, who had a seat in Parliament. In the same way as had been followed in the case of the Bishop of Ripon, it was provided, that when a Bishop of Manchester was created, he should not be deprived of any rights enjoyed by existing bishops. Therefore, with all deference to the noble Lord, and with unfeigned respect for his opinion, he should have doubted the soundness of the constitutional doctrine that the declaration of the intentions of Her Majesty, as stated in the preamble of this Bill, should be set forth in contravention of the stipulations of an Act of Parliament. He would now apply himself to the question of an additional number of bishops. He had said formerly that he could not recommend the creation of the diocese of Manchester without the union of the sees of St. Asaph and Bangor; but in the change of circumstances which had arisen, he was prepared to add one to the number of bishops, and one to the number of Spiritual Peers in the House of Peers. But there was a proposal to have an addition of three other bishops. The noble Lord had not stated whether any report of the Commissioners had been made to Her Majesty on this occasion; but the noble Lord candidly mentioned the three places in which it was intended to found chapters and create sees. [Lord J. Russell observed, that he had merely stated this in answer to a question put to him.] He was aware of that; but he would ask, whether there was a public necessity for augmenting the present number of bishops? He had been told that the bishops had too much to do; and he had asked what were their functions? If in doing so he had manifested in his manner the least want of respect for the bishops, he had failed to give expression to the unfeigned feelings he entertained towards them. Great learning, piety, and benevolence were the virtues which pre-eminently adorned them in every diocese in the country; and their efforts to promote the welfare of the Church were attended with the most satisfactory results. He was satisfied that it was by their exertions the proper discipline of the clergy was maintained, and general good conduct promoted. But while he admitted all this of the bishops, he could not admit that the clergy were less effective in their exertions, although in an humbler station. Many of them were in a state little above that of poverty; but their efforts were exerted in the most exemplary manner to train up their children to industrious and honest occupations, and this by the greatest sacrifices on their parts. If there was charity on the part of the bishops, there was also charity on the part of the working clergy. If the bishops out of their funds gave largely and extensively, he knew also that there were in his own neighbourhood clergymen with revenues of 80*l.* or 100*l.* a year, who contributed to the wants of their poorer neighbours. And he would ask them, would not some enlargement of the narrow means of the one class be more advantageous than an increase of the other, considered with regard to the interests of the Church itself? Even as a means of opposing dissent, would not such an increase be more effectual than any addition that might be made to the number of bishops? He might be wrong. He had the highest respect for the order of bishops; he knew that in their vocations they were useful and exemplary; but still he felt that in the circumstances of the country — with the population rapidly increasing — with dissent making rapid inroads on that population, on account of the want of means of providing parochial clergy, they ought to be most cautious in the application of the funds which existed for such purposes. But again, was it only for three bishops that provision was to be made? He heard—he would not say with surprise, because he foresaw from the first that if they once broke down the barriers that had existed, there would be no limit to the change demanded — he heard his noble Friend the Member for Liverpool, even with all that discretion and sound judgment which ordinarily characterized him, and with that honest religious zeal which was so highly to be admired in him, go the length of contending for the establishment of a bishop in each of the fifty-two counties in England and Wales. Where was this to end? The hon. Member for Cockermouth did not argue the case merely as a hypothetical one; but he contemplated his creation of sixty suffragans, while the hon. Baronet the Member for the University of Oxford gravely sought to bring into operation the Statute of Henry VIII. for the creation of suffragan bishops—a statute that he believed had lain dormant since the reign of James I., though King Charles II., under the advice of Clarendon, thought proper at one time to promise its revival. Now he need not warn the House that these propositions, coming from quarters so respectable, showed the danger that was to be apprehended. He thought he heard some one near him whisper, "What is the danger?" The danger was this—that they were to maintain the distinction for an indefinite time between the Episcopal fund and the Capitular fund. The distinction between the two funds was to be kept up until his hon. Friend the Member for the University of Oxford had a suffragan bishop provided for each diocese. An hon. Member near him asked where was the harm in this? He alluded, on the preceding evening, to a part of the evil that such a separation would cause. The exemplary and most respected Prelate at the head of the Church (the Archbishop of Canterbury) brought in a most admirable measure—an enabling statute—whereby the bishops, out of the surplus revenues of their sees, were to be enabled to augment the smaller livings. But while a distinction was maintained between the Episcopal fund and the Common fund, the provisions of that statute would virtually, if not in terms, be suspended. There would be no longer any means for endowing small livings, and the result would be a virtual repeal of the Archbishop of Canterbury's Statute. The operation was this. The bishops were divided into two classes—those whose incomes were more than 4,500*l.* a year, and those whose incomes were under that sum. They were to pay over out of the Episcopal fund to those prelates whose incomes were short of the given amount; while those whose incomes exceeded it were compelled annually to contribute to the fund a fixed annuity; and it could not be expected that while the bishops' incomes were thus regulated, they would be able to augment the poorer livings out of the episcopal means. Having so fully stated his views to the House the night before, he was exceedingly unwilling to detain them by any lengthened observations at present. He felt that both the propositions involved in this measure were dangerous. He felt that comparisons between the bishops who had seats and who had not seats in the House of Lords, would be drawn to the disadvantage of the former. This might sound like an objection to the prelates sitting in the House of Lords at all; but for his part he entertained a strong opinion the opposite way. He thought it was highly desirable that the bishops should have seats in Parliament. Considering the great power possessed by the bishops over their clergy—a power which he would add he did not think excessive, for, on the contrary, he would support the Church Discipline Act to a somewhat more stringent extent than at present—considering the extent of this power, he would wish to have them responsible to the public in their places in Parliament. He had very lately seen bishops questioned in the House of Lords for the exercise of their power, and he had seen the salutary effect of that course. He believed the effect was the abandonment by a bishop of a rule respecting curates, which he had established in his diocese, and to which a strong objection had been expressed in Parliament. On hese grounds it was his intention to move the omission of the words in the preamble from " A " in the second line of page 2, to the word " voting " in the tenth line. He need not add that it was his intention to vote for the omission of the second clause hereafter.

Mr. J. COLLETT said, he rose to a point of order. He had before objected to certain words in the preamble, and his objection was overruled on the ground that the preamble was a mere recital. If, however, it was competent for the right hon. Baronet to move the omission of a certain part of that recital, he should claim the right of moving the omission of the words he had before alluded to.

Mr. ROEBUCK said, he thought the right hon. Baronet laboured under some mistake with regard to his Motion. The words which he proposed to omit were a mere recital of the Commission issued by Her Majesty; and he thought the object of the right hon. Baronet would be attained best by moving the omission of the bottom of the page at line 35.

Sir JAMES GRAHAM said, he should certainly object to line 35, if the preceding part were retained; but he did not think the words which he proposed to omit, though part of the recital, were important.

Mr. ROEBUCK repeated that he thought the important part was the words, " and whereas it is expedient that the said recommendation be carried into effect."

The CHAIRMAN wished to know from the hon. Member for Athlone what were the words which he proposed to omit.

Mr. J. COLLETT said, he proposed omitting the words commencing " with special reference to the intention therein graciously declared by Her Majesty, that a measure should be submitted to Parliament," &c.

The question having been put, that the words proposed to be left out stand part of the Bill,

Mr. AGLIONBY said, he hoped the Amendment would not be pressed. He regarded the words as a mere recital, and he did not see how hon. Members could be expected to deny by their votes that Her Majesty had been pleased to issue a certain Commission, when they knew that such a Commission had issued.

The CHAIRMAN said, he was bound to put the question if it were pressed upon him.

Mr. VERNON SMITH said, the proposition was not to ask Members to vote that the Commission did not issue, but that the recital of the fact should form no part of the preamble to the Bill.

Lord JOHN RUSSELL said, his right hon. Friend was quite right in saying, that he spoke of the preamble as not at all binding that House or Parliament to adopt the measures mentioned; but, at the same time, he admitted they were words of importance, because they were introductory to the enactments which were intended to follow. The first clause alluded to one part of the preamble, and the second clause to another part of it; and the principle was, therefore, he thought, of considerable importance, as introductory to the enactments. If he understood the hon. Member for Athlone right, his first objection was, to the continuation of the bishoprics of St. Asaph and Bangor as separate bishoprics.

Mr. DISRAELI said, he did not think it was at all a decorous course to omit an important part of the recital of Her Majesty's Commissioners, and retain other parts of the preamble.

Mr. HUME said, with all due deference, he thought the preamble was illegal, and that Her Majesty ought not to have been advised to take a course contrary to the provisions of an Act of Parliament. He should, therefore, propose to omit the whole of the recital after the word "whereas."

The SOLICITOR GENERAL said, it struck him that, even if all allusion to the Royal Commission were omitted in the preamble, the Commission would nevertheless be as much in force as it would be with the allusion to it retained. The preamble first of all recited four Acts of Parliament, every one of which was thought of importance to this measure; and it then recited the Royal Commission under which the Commissioners were to act. The whole of the Commission was not set forth, but only so much of it as was thought of importance to this Bill; and if the right hon. Baronet would take the trouble to look back to the Act of the 6th and 7th of William IV., chapter 77, he would there find that the preamble recited so much of two Royal Commissions as were thought necessary for the enactment following. The precedent of that Statute was, he believed, adopted in preparing the present Bill. What were they to legislate upon but the report of the Commission? They had not got the whole of that report, and therefore the proposers of this Bill adopted the ingenuous and honest course of openly referring to the part of Her Majesty's Commission which they believed to concern the measure which they introduced. He asked hon. Gentlemen what they would have said if the noble Lord, or if the person who prepared this Bill, had introduced into it only so much of the recommendation of the Commissioners as related to the bishopric of Manchester, not allowing them to know that by the Commission there were other views entertained; or that there might hereafter be another report of the Royal Commissioners with respect to those other views? It might be the first charge against the person who introduced the Bill (if it were not stated on the face of the preamble, that there were those other views to be entertained from time to time) that the Commissioners were only sent to inquire into and report upon the single question with respect to the bishopric of Machester.

Sir JAMES GRAHAM was delighted to have heard the hon. and learned Gentleman the Solicitor General, for whom he had a sincere respect. The hon. and learned Gentleman had displayed that ability which they all knew he possessed, and he rejoiced that he had given them an opportunity of admiring it. He had said that this recital was honest and ingenuous, and he (Sir James Graham) deemed it to be so in the highest sense. It was honest and ingenuous; it was an avowal of a contemplation on the part of the Crown which appeared to him to be somewhat extraordinary on the face of it. By an Act of Parliament in force, it was directed that tho Bishops of Ripon and Manchester, whenever they were appointed should enjoy all the rights of the episcopacy, and amongst them was, *ex debito justiciæ*, the summons to the House of Lords; but from this recital it appeared that it was contemplated on the part of Her Majesty to do that which Parliament had said should not be done. He thought it was better to exclude the words than they should be included.

Mr. LAW was really surprised that the right hon. Baronet, with his extreme sagacity, should have been caught by the loose arguments of the hon. Gentleman the Member for Montrose, on the subject of the illegality and want of constitutional proceeding on the part of Her Majesty in taking the advice of Her constitutional advisers, to consider whether an existing Act of Parliament could be improved or repealed. What was it but what was done every day, and upon whose advice could it be more properly done than on the advice of the Ministers of the Crown and the Crown itself? It was absurd to insist that this was either illegal or unconstitutional; on the contrary, it was the act of every man who introduced an Act of Parliament to improve or repeal an existing law.

Mr. ROEBUCK might perhaps be able to relieve the mind of the right hon. Baronet by quoting a principle of law. It was, he found, laid down in the reign of Henry VIII. that the King might hold a Parliament without any spiritual Lords; and this principle was verified in the two first Parliaments of Charles II. So, in fact, it was the prerogative of the Crown to summon the bishops if the Crown pleased.

Sir F. THESIGER thought they were in a difficulty from not having adopted the usual course, namely, to postpone the consideration of the preamble. The question was, whether his right hon. Friend was right in taking the mode he had adopted, to remove from the preamble a certain part of it. The Solicitor General told them that those who had framed the Bill thought proper to introduce now into the preamble certain parts of the report of the Commissioners, and of the intention of Her Majesty; therefore, it was quite clear they had not the whole of the intention expressed, or the whole of the recommendations of the Commissioners.

The SOLICITOR GENERAL explained, that he meant to say that there was introduced into the preamble so much of the recital of the Commission and the views of the Royal Commissioners as was necessary. That report was set out, but there was some more to come—another report.

Sir F. THESIGER observed, it was, at all events clear, that in framing this Bill there had been a certain selection made from the report of the Commission; but the question was not as to what the framers of the Bill thought proper to take, but what they should think proper to introduce. They were not compelled to introduce the whole of the intentions of Her Majesty, or the whole of the recommendations of the Commissioners; the question was whether it was expedient, in framing this Bill, that they should adopt the whole of the recital that was here inserted.

Lord JOHN RUSSELL: What I think is very extraordinary in the right hon. Gentleman's statement, and which was supported by the hon. Gentleman the Member for Montrose, was this—he said that there was something either illegal or unconstitutional in Her Majesty appointing a Commission with the view of submitting measures to Parliament. I certainly never heard before that an Act of Parliament was to be considered as something of so very sacred a kind, that Her Majesty was not to direct her confidential Ministers to repeal or alter it, if necessary. Why, it is a thing that is done at the commencement of every Session.

Mr. SIDNEY HERBERT observed, that the usual practice was to postpone the preamble of the Bill; and why depart from that practice in the present instance? The only way of getting out of their difficulty was to postpone the preamble, and discuss the clauses in the first instances.

Mr. T. S. DUNCOMBE remarked, that the objection made by some hon. Gentlemen was, that they had not got the whole of the report; but that was not his objection. His objection was, that the House wanted another report, and that was the report of the Committee appointed to inquire into this Ecclesiastical Commission.

Lord JOHN RUSSELL said, the proposition of the right hon. Baronet the Member for Dorchester was, that as a great part of the substance of the Bill was confined to the preamble, the preamble should be taken before the clauses; and he considered that course, though unusual, was reasonable. He had, therefore, moved that the preamble should be considered in the first instance, and he still thought that was a reasonable proceeding. He was determined, in spite of what the hon. Member for Finsbury had said, to carry the Bill as it stood. Believing that it would be a measure useful to the country, Her Majesty's Government had brought it forward; and until the House decided by a division that they would not entertain the Bill, he should think it his duty to persevere with it.

The Committee divided on the question, that the words proposed by Mr. J. Collett to be left out, stand part of the Bill:—Ayes 132; Noes 33: Majority 99.

List of the Ayes.

Acland, Sir T. D.
Antrobus, E.
Archdall, Capt. M.
Baring, H. B.
Baring, T.
Barrington, Visct.
Beckett, W.
Bennet, P.
Bentinck, Lord G.
Blackburne, J. I.
Bodkin, W. H.
Boldero, H. G.
Borthwick, P.
Bowles, Adm.
Broadley, H.
Buller, C.
Buller, E.
Buller, Sir J. Y.
Byng, rt. hon. G. S.
Carew, W. H. P.
Cavendish, hon. C. C.
Cholmondeley, hon. H.
Christopher, R. A.
Clayton, R. R.
Clive, Visct.
Collett, W. R.
Corry, rt. hon. H.
Courtenay, Lord
Cowper, hon. W. F.
Craig, W. G.
Denison, W. J.
Denison, J. E.
Dickinson, F. H.
Disraeli, B.
Dodd, G.
Douglas, J. D. S.
Duckworth, Sir J. T. B.
Duncombe, hon. O.
Dundas, Adm.
Dundas, Sir D.
East, Sir J. B.
Easthope, Sir J.
Ebrington, Visct.
Egerton, W. T.
Egerton, Sir P.
Entwisle, W.
Ferguson, Sir R. A.
Forester, hon. G. C. W.
Frewen, C. H.
Fuller, A. E.
Gardner, J. D.
Gaskell, J. M.
Gore, M.
Gore, hon. R.
Goring, C.
Goulburn, rt. hon. H.
Graham, rt. hon. Sir J.
Grey, rt. hon. Sir G.
Grosvenor, Lord R.
Hallyburton, Ld. J.F.G.
Halsey, T. B.
Hamilton, G. A.
Hatton, Capt. V.
Hawes, B.
Henley, J. W.
Herbert, rt. hon. S.
Hildyard, T. B. T.
Hobhouse, rt. hn. Sir J.
Hope, A.
Hornby, J.
Hotham, Lord
Ingestre, Visct.

Inglis, Sir R. H.
Jervis, Sir J.
Jocelyn, Visct.
Jones, Capt.
Kirk, P.
Labouchere, rt. hon. H.
Langston, J. H.
Lascelles, hon. W. S.
Law, hon. C. E.
Lefroy, A.
Legh, G. C.
Lemon, Sir C.
Lindsay, Col.
Lowther, hon. Col.
Macaulay, rt. hn. T. B.
Manners, Lord C. S.
Maule, rt. hon. F.
Meynell, Capt.
Miles, P. W. S.
Morpeth, Visct.
Morris, D.
Mundy, E. M.
Neville, R.
Newdegate, C. N.
Nicholl, rt. hon. J.
Norreys, Lord
Norreys, Sir D. J.
O'Brien, A. S.
Packe, C. W.
Palmerston, Visct.
Parker, J.
Patten, J. W.
Pennant, hon. Col.
Philipps, Sir R. B. P.
Plumridge, Capt.
Price, Sir R.
Reid, Col.
Repton, G. W. J.
Rich, H.
Richards, R.
Russell, Lord J.
Russell, J. D. W.
Rutherfurd, A.
Seymer, H. K,
Seymour, Sir H. B.
Sheil, rt. hon. R. L.
Somerville, Sir W. M.
Stuart, J.
Thesiger, Sir F.
Tollemache, J.
Turner, E.
Vesey, hon. T.
Vivian, J. E.
Vyse, H.
Ward, H. G.
Wellesley, Lord C.
Williams, W.
Wilshere, W.
Wood, rt. hon. Sir C.
Wortley, hon. J. S.

TELLERS.
Tufnell, H.
Hill, Lord M.

List of the Noes.

Aglionby, H. A.
Aldam, W.
Berkeley, hon. C.
Bouverie, H. E. P.
Brotherton, J.
Brown, W.
Clay, Sir W.
Clements, Visct.
Colebrooke, Sir T. E.
Currie, R.
D'Eyncourt, rt. hn. C.T.
Duke, Sir J.
Duncan, G.
Duncombe, T.
Ellis, W.
Escott, B.
Evans, Sir De L.
Forster, M.
Hall, Sir B.
Hindley, C.
Horsman, E.
M'Taggart, Sir J.
Molesworth, Sir W.
Osborne, R.
Philips, M.
Pinney, W.
Roebuck, J. A.
Seymour, Lord
Smith, rt. hon. R. V.
Thornely, T.
Wakley, T.
Walker, R.
Wall, C. B.

TELLERS.
Hume, J.
Collett, J.

Mr. M. PHILIPS observed, that already a machinery existed for religious purposes in Manchester, which if properly worked out would entirely supersede the necessity for the establishment of a bishopric in that town. He was decidedly of opinion that any such proceeding would be repugnant to the feelings of the electors of Manchester; and under this conviction he begged leave to move that the words "and for establishing forthwith a bishopric in Manchester" be omitted.

Mr. T. S. DUNCOMBE should certainly move that Mr. Greene do leave the chair, unless some of the Ministers would condescend to answer the declaration made by the hon. Member for Manchester with respect to the feelings of the Manchester people in reference to this Bill. Why enfranchise the town of Manchester unless they meant to listen to what its representative stated when he professed to give expression to the opinions of the people of that place? He was at a loss to understand what could be the object of the Ministers in persevering in this most obnoxious measure, unless, indeed, it was that they had been commanded to go on with it, and that they thought it necessary to carry out the order. Why should the Ministers insist on cramming the Bill in a most offensive and unconstitutional manner down the throat of the House? If it was true that there was a feeling in its favour out of doors, and that there were indeed persons who were roaring and dying for more bishops, why were not the names of those parties given? If the promoters of the Bill were certain that the country was with them, what evil result could follow from postponing the measure until next Session, and thus affording the country an opportunity for pronouncing? The conduct of the Government was most disgraceful in advocating such a measure; and they had acted most unconstitutionally in their mode of introducing it. Again he asked why should this hateful measure be crammed down the throat of the House? The country was against it, and the complaints out of doors that it was dreadful to be obliged to swallow all this episcopal mud were numerous and indignant.

Lord J. RUSSELL had not thought it necessary again to raise the question of the distinct creation of the bishopric of Manchester, having on previous occasions repeatedly explained the grounds on which the proposition rested. It rested on an Act of Parliament now in force. [Mr. Philips: No, an Act to come forthwith into operation.] The Act of Parliament was actually in force, and the difference between the present Bill and the Act now in force was simply this: that whereas, as the law now stood, the bishopric of Manchester was not to be created until after the death of the Bishop of Bangor, the Bill under consideration contemplated its creation forthwith. If the House determined to create a new bishopric, it ought not to depend upon the death of the Bishop of Bangor. He did not profess to know what the feelings of the people of Manchester on the question might be just now; but he was sure, that when the bishop was created, they would soon arrive at the conclusion that the Bill now under consideration was one which, so far from injuring them, would affect their town beneficially. The hon. Member for Finsbury might think it very amusing to attack him (Lord J. Russell) and other Members of the Government; but he was convinced that he was doing his duty, and he should not be deterred by the taunts of the hon. Member.

Mr. HUME implored of the Ministers not to persevere with the Bill after the statement that had been made by the hon. Member for Manchester (Mr. Philips) respecting the feeling of the people of that town, with respect to the Bill.

Mr. ROEBUCK said, that Manchester was in a district which was under the supervision of a bishop. Manchester was composed of a great variety of sects and opinions; and he thought that the appointment of a bishop in Manchester would not tend to decrease any sectarian jealousy which now existed in Manchester. He would, therefore, move that the chairman report progress.

Lord J. RUSSELL said, that the subject had been discussed very fully, and he did not see any reason for agreeing to the Motion of the hon. and learned Member for Bath. He should feel it necessary, under those circumstances, to divide against the Motion if the hon. and learned Member pressed it.

The Committee divided on the question that the Chairman do now report progress:—Ayes 18; Noes 129: Majority 111.

List of the Ayes.

Aglionby, H. A.
Brotherton, J.
Currie, R.
D'Eyncourt, rt. hn. C. T.
Duke, Sir J.
Duncan, G.
Duncombe, T.
Escott, B.
Hall, Sir B.
Hindley, C.
Horsman, E.
Hume, J.
Molesworth, Sir W.
Osborne, R.
Philips, M.
Thornely, T.
Wakley, T.
Williams, W.

TELLERS.
Collett, J.
Roebuck, J. A.

List of the Noes.

Acland, Sir T. D.
Acland, T. D.
Antrobus, E.
Archdall, Capt.
Austen, Col.
Bannerman, A.
Baring, H. B.
Baring, T.
Baring, rt. hon. W. B.
Beckett, W.
Bennet, P.
Bentinck, Lord G.
Berkeley, hon. C.
Blackburne, J. I.
Bodkin, W. H.
Boldero, H. G.
Borthwick, P.
Bowles, Adm.
Broadley, H.
Brown, W.
Buller, C.
Buller, E.
Buller, Sir J. Y.
Byng, rt. hon. G. S.
Carew, W. H. P.
Cavendish, hon. C. C.
Cholmondeley, hon. H.
Christopher, R. A.
Clayton, R. R.
Clive, Visct.
Collett, W. R.
Corry, rt. hon. H.
Courtenay, Lord
Cowper, hon. W. F.
Craig, W. G.
Dickinson, F. H.
Dodd, G.
Douglas, J. D. S.
Duckworth, Sir J. T. B.
Duncombe, hon. O.
Dundas, Adm.
Dundas, Sir D.
East, Sir J. B.
Easthope, Sir J.
Ebrington, Visct.
Egerton, W. T.
Egerton, Sir P.
Entwisle, W.
Ferguson, Sir R. A.
Forester, hn. G. C. W.
Frewen, C. H.
Fuller, A. E.
Gardner, J. D.
Gaskell, J. M.
Gore, M.
Gore, hon. R.
Goring, C.
Goulburn, rt. hon. H.
Grey, rt. hon. Sir G.
Grosvenor, Lord R.
Hallyburton, Lord J. F.
Halsey, T. P.
Hamilton, G. A.
Hatton, Capt. V.
Hawes, B.
Henley, J. W.
Herbert, rt. hon. S.
Hildyard, T. B. T.
Hobhouse, rt. hn. Sir J.
Hodgson, F.
Hope, A.
Hornby, J.
Hotham, Lord
Ingestre, Visct.
Inglis, Sir R. H.
Jervis, Sir J.
Jones, Capt.
Labouchere, rt. hon. H.
Langston, J. H.
Lascelles, hon. W. S.
Law, hon. C. E.
Lefroy, A.
Legh, G. C.
Lemon, Sir C.
Lindsay, Col.
Lowther, hon. Col.
Macaulay, rt. hon. T. B.
Manners, Lord C. S.
Masterman, J.
Maule, rt. hon. F.
Meynell, Capt.
Miles, P. W. S.
Milnes, R. M.
Morpeth, Visct.
Morris, D.
Mundy, E. M.
Neville, R.
Newdegate, C. N.
Nicholl, rt. hon. J.
Norreys, Sir D. J.
O'Brien, A. S.
Packe, C. W.
Palmerston, Visct.
Parker, J.
Patten, J. W.
Pennant, hon. Col.
Philipps, Sir R. B. P.
Pinney, W.
Price, Sir R.
Reid, Col.
Repton, G. W. J.
Rich, H.
Richards, R.
Russell, Lord J.
Russell, J. D. W.
Rutherfurd, A.
Seymer, H. K.
Sheil, rt. hon. R. L.
Somerville, Sir W. M.
Stuart, J.
Thesiger, Sir F.
Tollemache, J.
Vesey, hon. T.
Vyse, H.
Walker, R.
Ward, H. G.
Wilshere, W.
Wood, rt. hon. Sir C.
Wortley, hon. J. S.

TELLERS.
Hill, Lord M.
Tufnell, H.

House resumed. The Chairman reported progress.

On the question that the Committee sit again at Twelve o'clock on the following day,

Mr. HUME moved to substitute Monday next.

Mr. DUNCOMBE said, if public opinion was to be set at nought, he should move at a future day for a Motion to test the principles on which a *quasi* Liberal Government was conducted. He was not angry, and to prove what he said, he should move the adjournment of the House.

SIR R. PRICE said, he hoped the noble Lord would persevere, and would disregard the attacks of the hon. Member for Finsbury, and those who acted with him.

MR. AGLIONBY thought the noble Lord had no reason to be glad of the aid of the hon. Member who spoke last, and had indulged in recrimination against hon. Members of the House.

LORD J. RUSSELL expressed himself perfectly ready to go on with the Bill, though quite weary of the discussion, as he thought it his duty to do; and all he asked the House was to consider the Bill fairly in all its details. If he could believe that the opposition to this Bill would be carried on in the ordinary way, he would not insist on the House meeting on Saturday, but hoped they would meet to consider the Bill on Monday.

After some discussion, the Motion and Amendment were withdrawn. Committee to sit on Monday.

House adjourned at a quarter before Two o'clock.

HOUSE OF LORDS,

Saturday, July 17, 1847.

MINUTES.] PUBLIC BILLS.—1ª Consolidated Fund (Appropriation); Commons Inclosure (No. 3).

Reported. — Canal Companies; Destitute Persons (Ireland, No. 3); Highway Rates; Militia Pay; Copyright (Colonies); Public Works and Drainage (Ireland); Constabulary Force (Ireland); London Bridge Approaches Fund.

3ª and passed:—Post Office; Navigation (No. 2); Recovery of Public Monies (Ireland).

HOUSE OF COMMONS,

Saturday, July 17, 1847.

MINUTES.] PUBLIC BILLS.—3° and passed:—Consolidated Fund (Appropriation).

PETITIONS PRESENTED. From Charles Miller, M.A., for Alteration of the Tithes Commutation Act.— By Mr. Barkly, from Members of the Court of Policy and of the Financial Representatives of British Guiana, respecting Drainage.— By Mr. Hume, from Finsbury, for Inquiry respecting the Rajah of Sattara.—From Shipbuilders of Liverpool, against the Repeal of the Navigation Laws.

CONSOLIDATED FUND APPROPRIATION BILL.

On the Question that the Consolidated Fund Bill be read a Third Time,

MR. HUME called the attention of the House to a clause in this Bill, the effect of which would be to permit alterations and variations in the appropriation, in direct contravention of the spirit of the Bill itself. When he last put the question as to the existence of such a clause, the right hon. Gentleman the Chancellor of the Exchequer gave him an assurance which had then appeared to be satisfactory; but he had since made inquiry, and found that by the 24th Clause of this Bill the fullest possible license in the application of the fund would be given to the Treasury. This, no doubt, was a great advantage to that office; but the House voted distinct sums to different departments; and the intention manifestly was that the money so granted should be expended in the one particular way, and no other. The same power, it appeared, had been granted *sub silentio* in the Bill last Session, and from some unknown cause had escaped the attention of many hon. Gentlemen. The right hon. Gentleman now wished to continue the Bill in the same shape, and in effect the Legislature thus empowered the Treasury to limit the appropriation in whatever way they pleased, provided only they did not exceed the aggregate amount agreed to.

The CHANCELLOR OF THE EXCHEQUER was understood to say that the measure which had been brought forward in the course of the last Session by the right hon. Gentleman the Member for the University of Cambridge, for the better auditing of the public accounts, had rendered it indispensably necessary that some such license as that contained in the Consolidated Fund Bill should be intrusted to the Treasury. Under the old system, the greatest inconvenience had been found to result from the prescribed mode of dealing with the balances which were left each year, invariably, unappropriated; and as now the whole amount voted by the House could not in any case be exceeded, no evil could arise; and the clause to which the hon. Gentleman referred, would operate as a restriction rather than as a license.

Bill read a third time.

RIVERS AND HARBOURS—CHARITABLE TRUSTS.

On the question that the Bill do pass,

MR. HUME wished to make a remark with respect to the sum required for the construction of tidal harbours and harbours of refuge. A Commission was appointed three years ago which did not examine into the condition of all the harbours in the kingdom, but into a large and sufficient proportion of them. Their report, and the Bill they recommended, was subjected to a more severe test than any Bill ever had been. Copies had been sent to six hundred individuals and parties connected with the shipping interests. Only four-and-twenty boards of dock trustees had offered any dissensions; and he should be able to give a give a good reason why their opposition ought not to be attended to before a Committee of the House. The question belonged not to this or to that port alone, but it was a national question; and there was no time at which the coasting trade ought to be supported against railway competition. The Admiralty had done nothing in the matter; and after three years he thought it was much to be regretted that something should not have been done to prevent the daily decadence of the ports and navigable rivers of the country. He would not now do more than express a hope, the Admiralty having in their possession an immense mass of information on the subject, that early in the next Session something would be done. The coasting trade in the next eighteen months would be greatly reduced on account of the taxes and port duties charged on the shipping. Between Hull and London any quantity of goods might be transported without any tax whatever, while the coasting vessels were subject to imposts amounting to a million and a half sterling per annum, which was paid to corporate and other bodies, which, in his opinion, ought never to have been in their hands. There was another question, with reference to which he regretted the Home Secretary had not brought in a measure—he meant the subject of charitable trusts. The grossest abuses, as was admitted by all, prevailed; and it would be recollected that last Session he had introduced a Bill on the subject, the effect of which would have been to bring before the public every year the accounts of all the public charities. At present there was no remedy for abuses but that of appeal to the courts of law; but if it was made imperative that an account of the receipts and expenditure should be annually laid before Parliament, a speedy and effectual reform of abuses would soon take place, just as had been exemplified in the case of turnpike trusts. He withdrew his Bill last Session, in the expectation that something would be done by Government; and he regretted very much that no measure had been brought forward. A very great proportion of the money held in trust in this country was for the purposes of education; and nothing could exceed the gross abuses which existed under this head. He hoped that whenever a Bill was introduced, it would embrace the whole country. When his Bill was brought forward, the city of London was at once in motion, and wished to be excepted; but he would make no exception. There was no desire on his part to blame any one for the delay that had taken place on this subject. He knew how the Government had been pressed this year; but he thought a small Bill, requiring a simple balance-sheet annually from each charity, might have been passed, and that alone would have effected a great good. He hoped these observations would not be taken as a complaint, but would be the means of pressing upon the Government the necessity of doing something.

Sir G. GREY said, the attention of the Government, and particularly of the Lord Chancellor, had been directed to this subject, and a Bill was prepared; but, on considering the business of the Session, it was found that there was no prospect of passing it through Parliament. Another reason for not bringing forward the Bill was, that the Government wished to avail themselves of the services of the judges of the local courts as a part of the machinery for carrying out the measure, and it was accordingly delayed. A Bill would, however, be introduced in the next Session.

Mr. STAFFORD O'BRIEN had opposed the Bill of the hon. Gentleman opposite (Mr. Hume); but he was bound to say that he had received several remonstrances on the subject of the abuses prevalent in public charities. Many of the smaller charities might be rendered exceedingly useful; but there was no way of getting the evils under which they lay remedied, except by recourse to law, which was too expensive. He deprecated the idea of remedying abuses, however, by turning that House into a body of trustees for the whole nation.

Mr. WAKLEY hoped that the question of charitable trusts, which was one of great magnitude and importance, would have the best attention of the Government; and he regretted that a measure had not already been brought forward. In many schools intended for general instruction, the education was wholly confined to the dead languages, and the sooner these schools were opened up for the use of the community at large the better. It was disgraceful to Parliament that so much money bestowed for the purposes of education was allowed to remain unappropriated to the purposes for which it was intended. The subject was one of such pressing importance, that he hoped it would be noticed in the Speech from the Throne at the beginning of next Session.

Bill passed.

ECCLESIASTICAL JURISDICTION AMENDMENT BILL,

House in Committee on the Ecclesiastical Jurisdiction Amendment Bill.

Sir J. GRAHAM wished to have a pledge from the right hon. Baronet (Sir G. Grey) that a comprehensive measure respecting ecclesiastical jurisdiction would be introduced early next Session. He consented to this Bill only upon the understanding that it was a temporary measure, limited to one Session.

Sir G. GREY said, he proposed the Bill only as a temporary measure. Considering the number and magnitude of the questions they would have to deal with, he must abstain from giving a positive pledge that early next Session he would bring in a comprehensive measure respecting the ecclesiastical courts. During the last two or three days he had drawn up a list of various subjects to be considered early next Session, and he had been obliged to turn over on a second page of the paper. The right hon. Baronet, therefore, must be satisfied with the assurance that it should be one of the first measures brought before the new Parliament.

Sir J. GRAHAM said, Lord Cottenham in the other House, and the right hon. Baronet in this, had held him (Sir J. Graham), when in office, very close as to the introduction of a comprehensive measure relating to the ecclesiastical jurisdiction; and he not only gave a pledge, but he had twice introduced a Bill, which he made as comprehensive as he could, and had pressed it as strongly as he could; and he pledged himself to give the right hon. Baronet all the assistance in his power. He admitted the difficulty of legislating upon this subject as to *bona notabilia* and other matters; and perhaps the continuance of the grievances existing under the present state of the ecclesiastical courts might have the good effect of serving as a fulcrum to obtain an improvement of that jurisdiction.

Mr. NEWDEGATE observed, that the right hon. Baronet seemed to wish to enact the part of a legislative Jack Sheppard, using grievances as a sort of crowbar. He deprecated such a system of legislation as that of prolonging grievances in order to use them as a fulcrum to force, perhaps, a violent change.

Lord R. GROSVENOR assured the right hon. Baronet that he should have every assistance in his power, though he could not answer for his Colleague (the Attorney General.)

The ATTORNEY GENERAL, with reference to the allusion made to him by the noble Lord, admitted that he had opposed the Bill of the right hon. Baronet (Sir J. Graham); but he had profited by subsequent inquiries and consideration, and he hoped the Bill which would be introduced would satisfy everybody.

Sir J. GRAHAM said, if the measure was in so forward a state as to entitle the hon. and learned Gentleman to say it would be satisfactory to everybody, why could not the right hon. Baronet give a pledge that it should be introduced early next Session? His Bills had encountered much resistance from influential persons at Chester, and, by some mysterious influence on both sides of the House, they had been defeated. Now, however, the hon. and learned Gentleman (the Attorney General) representing Chester, and the noble Lord who had also represented Chester, and was now connected with Middlesex, were going to give to the right hon. Baronet the assistance which had been denied to him. He hoped that the Bill which was to please everybody would be one of the first measures introduced next Session.

Mr. B. ESCOTT said, as long as measures were brought in, which, on pretence of being for the improvement of the ecclesiastical jurisdiction, were nothing but a Doctors Commons' job, they would be still opposed, and opposed with success; but if the right hon. Baronet brought in a Bill for the thorough reform of abuses in those courts, and which was not a Doctors Commons' job, he should have his support, and would receive the thanks of every member of the community.

Bill passed through the Committee.

The House resumed. Report to be received.

House adjourned at Three o'clock.

HOUSE OF LORDS,

Monday, July 19, 1847.

Minutes.] Public Bills.—2ª Poor Removal Act Amendment (No. 2); Consolidated Fund (Appropriation); Commons Inclosure (No. 3).

Reported.—Herring Fishery (Scotland); New Zealand (No. 2).

3^{a} and passed:—London Bridge Approaches Fund; Canal Companies; Destitute Persons (Ireland, No. 3); Highway Rates; Militia Pay; Copyright (Colonies); Public Works and Drainage (Ireland); Constabulary Force (Ireland); Mussel Fisheries (Scotland).

Petitions Presented. By Lord Beaumont, from Cardiff, and a great number of other places, against the Proposed Plan of Government Education.—By the Duke of Richmond, from Norwich, for Repeal of the Existing Laws relative to Rating, and the Law of Settlement; from Sussex, for Repeal of the Duty on Malt; and from Agricultural Tenants of Nottingham, for Compensation for unexhausted Improvements, and to place them on the same footing as Tradesmen and Manufacturers as regards Fixtures and Buildings erected by them for the purpose of carrying on their Business.

MR. R. OWEN'S PETITION.

Lord BROUGHAM presented a petition from a gentleman of great philanthropy, and whose merits were of a high order, though most of their Lordships differed in opinion with him on certain subjects—he meant Mr. R. Owen. This gentleman had devoted a long life, and spent the bulk of a large fortune—the acquisition of his honest and skilful industry—in benefiting his fellow-creatures. He was the real and first author of Infant Schools, having formed the earliest establishment of this kind at New Lanark, in the year 1802. The only step which he (Lord Brougham), in concert with his noble Friend opposite (the Marquess of Lansdowne), Mr. J. Smith, Mr. Mill, Mr. Macaulay, Mr. Wilberforce, Lord Dacre, and others who joined him, had made, was this—that Mr. Owen's, in 1802, was connected with his manufactory; and Mr. Fellenberg's, in 1810, was connected with his farm; so that the children belonged in each case to the establishment; consequently, this could not become an institution of a general nature; and then he (Lord Brougham) and his associates took the simple and easy, though important step, of separating the school from any establishment, either manufacturing or agricultural, and planted it in Westminster, near the House. His noble Friend (the Marquess of Lansdowne) and himself sat for several mornings early there to receive the poor children—nearly 200 in number—and this school flourishing, was the parent of all the others now established; among the rest, of Mr. Wilderspin's, which was a year after planted in Spitalfields by Mr. Wilson—one of their (Lord Brougham's and the Marquess of Lansdowne's) associates in the Westminster school of 1819. But they had all merely taken Mr. Owen's plan; and he had lent them the schoolmaster and mistress for half a year; but they remained for six years. Therefore, Mr. Owen it was who alone had the unspeakable merit of being the author of this most important system. His other opinions and principles belonged to a different class; but humanity and perfect tolerance presided over them all. Differing with others widely, he never objected to the most vehement attacks on his very peculiar opinions. He had many years ago examined the state of Ireland, and felt confident at that time, as he did now, that his economical system was pecularly adapted to meet and relieve the distresses of that country. As soon as he heard of those distresses he had started over from America to tender his help. His petition described his principles, and prayed that either a Committee or a Commission might be appointed to examine his plans fully. This petition his Lordship now presented.

LEITH HARBOUR AND DOCKS BILL.

Lord CAMPBELL moved that this Bill be now read 3^{a}.

Lord REDESDALE recommended that the Bill should be recommitted, as it was impossible to deal with it in a satisfactory manner, unless by discussing it clause by clause.

Lord CAMPBELL objected.

Lord REDESDALE said, that under these circumstances he should move that the Bill be read a third time this day three months.

After a short conversation, in which Lord Brougham, Lord Campbell, the Duke of Richmond, Earl Grey, and other Peers took part,

On question that the word "now" stand part of the Motion, House divided:—Contents 26; Not-Contents 20: Majority 6.

List of the Contents.

DUKE
Norfolk

MARQUESSES.
Clanricarde
Lansdowne

EARLS.
Auckland
Grey
Fingall
Radnor
Devon
Granville
Bruce
Minto
Bessborough
Fitzhardinge

VISCOUNT.
Falkland

BISHOP.
St. Asaph

LORDS.
De Mauley
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Montford
Stafford
Strafford
Dunalley
Lilford
Sudely
Campbell

List of the Not-contents.

DUKES.
Richmond
Montrose
Buccleuch

MARQUESSES.
Aylesbury
Huntley

EARLS.
Harewood
Nelson
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Rosse
St. Germans
Stradbroke
Cardigan

VISCOUNTS.
Combermere
Sydney

LORDS.
Sondes
Colville
Walsingham
Redesdale
Gray
Colchester

Resolved in the *Affirmative:* Bill read 3ª accordingly.

The further Proceedings on this Bill were as follows: Amendments made. Then it was *moved*, in Clause I, to leave out (" Forty-seven ") and insert (" Fifty-two") : on Question, That the Words proposed to be left out stand Part of the Bill, House divided;—Contents 21; Non-Contents 16: Majority 5. *Resolved* in the *Affirmative.* Then it was *moved*, to leave out Clause II; objected to; and Motion (by Leave of the House) *withdrawn.* Then it was *moved*, in Clause III., to insert, after the Word (" them") the following Words (" up to the Term of Whitsunday one thousand eight hundred and fifty-two"); objected to; and, on Question, *Resolved* in the *Negative.* Then it was *moved*, after Clause III., to insert the following Clause: (" And be it enacted, That all Powers of borrowing or raising Money under an Act passed in the Second Year of Her present Majesty, intituled ' An Act to regulate and secure the Debt due by the City of Edinburgh to the Public ; to confirm an Agreement between the said City and its Creditors; and to affect a Settlement of the Affairs of the said City and the Town of Leith ' shall cease and determine, and the same are hereby repealed") ; objected to; and, on Question, *Resolved* in the *Negative.* Then it was *moved*, to leave out Clauses (" IV.") and (" VI."): on Question, *Resolved* in the *Affirmative.* Bill *passed*, and sent to the Commons.

NEW ZEALAND (No. 2) BILL.

On Motion that the House do go into Committee,

Earl GREY observed, that the efforts of the Government to restore tranquillity in New Zealand had been attended with the happiest results, and he was glad to say that there was now every prospect of the colony being placed in a position of prosperity.

Earl ST. GERMANS, as one who had always taken a lively interest in the colony, was happy to have an opportunity to express his gratification at the excellent prospects which now appeared to be opening before it, and also to award the meed of his approbation to the wisdom which had distinguished the policy of the Government with respect to the colony.

Bill reported.

POOR REMOVAL ACT AMENDMENT (No. 2) BILL.

Lord CHURCHILL moved that the Bill be now read 2ª.

Lord REDESDALE objected. He considered it objectionable in many respects, but in none more so than in these—that it involved the principle of union rating, and necessitated boards of guardians to become tribunals for the decision of questions of settlement. The Committee which had sat to consider the law of settlement had not recommended an union settlement. He trusted that ample opportunity for discussion would be afforded when the Bill was committed.

On question, resolved in the *affirmative*, Bill read 2ª.

House adjourned.

HOUSE OF COMMONS,

Monday, July 19, 1847.

MINUTES.] PUBLIC BILLS.—*Reported.*—Ecclesiastical Jurisdiction Amendment.

PETITIONS PRESENTED. From Governors of the London Fever Hospital, against the Fever Hospitals Bill.—By Mr. Wakley, from numerous places, in favour of the Medical Registration and Medical Law Amendment Bill.

BISHOPRIC OF MANCHESTER.

Lord J. RUSSELL moved the Order of the Day for going into Committee on the Bishopric of Manchester Bill.

Mr. B. ESCOTT felt bound to express his sense of the handsome manner in which the noble Lord at the head of Her Majesty's Government was pleased, at the close of Friday night's proceedings, to yield to the wish of the minority in postponing the further consideration of the Bill from Saturday to this day. He felt, the moment that the noble Lord made that declaration, the position in which they, as a minority of the House of Commons, were placed. That they were bound to take advantage of the time that was thus allowed them, in order to reflect on the position which they had chosen to occupy, and to reconsider the nature of the Bill itself; and he felt that if under the circumstances it appeared proper for them to give up their opposition to the measure, and to yield to the opinions of the majority of the House, there would be no unhandsome or unfair use towards the principle which they thought right to advocate on the occasion made of their thus conceding their opinion to that of the large majority of the House of Commons. But at the same time he felt it was right to consider whether anything had passed in the course of that debate which should induce those who stood upon principle in their opposition to the Bill, to give up that opposition merely because they had been beaten by numbers, and to yield up that ground which they had been induced to occupy against a measure that they believed to be detrimental to the interests of the people; because it was, as they thought, detrimental to the interests of the Church. Now, he should confess that he had throughout looked upon this measure with no feeling of a desire to embarrass the Government. He should feel sorry on any occasion to find it his duty to oppose Her Majesty's present Government. If it were consistent with his public duty, he would be ready to accede to their views, and still more to the views of the large majority of that House. But, after full consideration, he had come to the determination that nothing could be so pusillanimous, nothing no base on their part, as to display any sign of shrinking from the great duty which was imposed upon them. [*A laugh.*] He trusted that the hon. Gentleman who exhibited signs of merriment would explain his reasons for supporting the Bill in some other way besides laughing. He had already said, that he should be sorry to oppose Her Majesty's Ministers; but he had yet to learn that this was a Ministerial measure. The First Lord of the Treasury and the right hon. Gentleman the Secretary of State for the Home Department were the only Ministers who had spoken in favour of this Bill; but even they had spoken very sparingly, and he believed neither of them had occupied the attention of the House for more than five minutes at a time; and they certainly took care to avoid grappling with the real question at issue, whether, having a surplus fund, they ought to apply that fund to the endowment of new bishops, or employ it in providing clergy for the people. He trusted this reserve would not be maintained by Ministers. He saw at that moment, sitting next to the noble Lord the First Minister of the Crown, the representative of a great county, his noble Friend at the head of the Commissioners of Woods and Forests. Now, he wanted to know, before they passed this Bill, whether the great county of York was in favour of making four new bishops. He did not know what view the noble Lord might take of the public feeling in this respect; but he could tell him that "all the blood of all the Howards" could not cram four bishops down the throats of the people of this country. He saw another hon. Member on the Ministerial bench, whose views he was anxious to hear regarding this Bill. He meant the Secretary to the Admiralty, the hon. Member for Sheffield. He wished to know from that hon. Gentleman, was the opinion of the people of Sheffield in favour of this measure? [Mr. WARD: They have not said a word against it.] Am I to infer from that, that silence gives consent, and the people of Sheffield are in favour of the Bill? [Mr. WARD: No.] The hon. Member says, they are not for the Bill. [Mr. WARD: I have not said a word about it.] Then the hon. Gentleman did not mean that silence gave consent. But he wished to know if his hon. Friend intended to give a silent vote on the question. His hon. Friend was one who ought to express his opinion on such a matter. Who, he would ask, was the author of the Appropriation Clause? Who was it told them that, when there was to be a surplus of Church property, it ought to have been appropriated to the education of the people? It was the hon. Member for Sheffield who said this; and, between his duty towards his constituents and these principles, which he had never renounced, it was to be hoped that the hon. Gentleman would not give a silent vote on this Bill. His hon. Friend should recollect, that this was not a measure for applying the surplus funds of the Church to the education of the people, or to providing clergymen for the poor colliers; but it was a measure for raising up four new bishops. At a time when the fabric was in want of repair, when the walls required strengthening, they were about to erect ponderous ornaments on the pinnacle. But there was another Member of the Government still nearer to him on the Ministerial bench, who, he trusted, would also favour them with his opinions. He meant the right hon. Gentleman the Member for Dungarvon. The right hon. Gentleman was better known as Member for Dungarvon than as Master of the Mint, as his office was but a ponderous incumbrance on his shoulders, which kept him down in the House of Commons from the exercise of those vast talents which he had once devoted to the maintenance of popular rights and the assertion of great principles. The right hon. Gentleman was shortly to visit Ireland; and after the great loss which had taken place in the representation of that country, the right hon. Gentleman would no doubt occupy a prominent position in the minds of the Irish people. He hoped the right hon. Gentleman would tell the House whether he thought the people of Ireland were in favour of four new bishops. He feared that that right hon. Gentleman had too much cowardice to advance their reasons for supporting this measure. He might have used a strong phrase; but he did so advisedly, though he applied it not in a personal sense. He would repeat that those who gave a silent vote contrary to their political opinions were decided cowards, and they would be branded as such by the country. But he saw another Member on the Ministerial bench, who he trusted would also favour them with his sentiments on this question, the right hon. Gentleman the Member for Edinburgh. He was going from Ireland to Scotland—[An Hon. Member: I wish you would]—and he would ask the right hon. Gentleman the Member for Edinburgh, whether the people of that country either were in favour of more bishops? The right hon. Gentleman was famous not only for his eloquence in that House, but perhaps still more so for those essays, displaying so much of deep research, and of varied learning and studied language, with which he had enriched the literature of his country. He had looked into those essays, and he had listened to the right hon. Gentleman's speeches; but in all, up to the present moment, whether he had been enlightened, instructed, or it might be sometimes, perhaps, inclined to be wearied, he never yet either read or heard any one passage in which the right hon. Gentleman declared his conviction that it is for the benefit of the Church of England and Ireland, or necessary for increasing or advancing the temporal and spiritual interests of the people, to make four new bishops. Let the right hon. Gentleman tell them that day what his reasons were for supporting a Bill for such a purpose. He knew no one more likely to convince him than the right hon. Gentleman; and if the right hon. Gentleman succeeded, proving to him that the measure was necessary, he would at once give up his position, and concede the necessity of passing some such Bill. What he wanted was, to hear some reason for the Bill; but up to the present time they had heard none. They were told what the Commissioners recommended. But what the Commissioners told them was, that they might make a new bishopric when they had consolidated two old bishoprics. He hoped also, that his hon. Friend the Attorney General, whom he saw sitting on the Ministerial bench, would address the House on the question. He would like to hear from the right hon. Gentleman and the Solicitor General some definite answer to the question, how it accorded with the principles of Parliamentary and constitutional law, to introduce into the preamble of this Bill a statement of the opinions and contemplations of the Sovereign as a ground for passing an Act of Parliament. If Ministers had not a right to use the Queen's name in debate in order to influence the House of Commons, had they not still less a right to do so in an Act of Parliament? He should like to hear some explanation offered on these matters. Perhaps his hon. Friend the Member for Sheffield might tell them that they would find his opinions on the question in the *Weekly Chronicle;* but what he wanted was to hear those opinions in that House, and not in the columns of a newspaper. But it was doubtful if this was a Ministerial measure at all. It certainly was not carried by Her Majesty's Ministers. It was carried by the Opposition to Her Majesty's Ministers. There were, to be sure, some honourable exceptions among Gentlemen opposite. The right hon. Baronet the Member for Dorchester was one distinguished exception. He was in his place watching the progress of the Bill; but where was his late Colleague the Member for Tamworth? He thought that right hon. Baronet would have been better employed in attending to this question in his place in Parliament, than in writing pamphlets to his constituents. He honoured some of the hon. Members opposite also, for their support of this measure. For example, there was the noble Lord the Member for North Salop (Viscount Clive); but he would tell that noble Lord, that if he expressed the sentiments of the country on this question, then his noble father, Earl Powis, and not Prince Albert, ought to be the Chancellor of the University of Cambridge. There was another hon. Gentleman he would appeal to. Why did not the Recorder of London tell the House why he supported this Bill for imposing four new bishoprics on the country? There were also those who aspired to be leaders of the people. Where was the noble Lord the Member for Lynn? The noble Lord was not in his place, or he would have told him, that if he thought the farmers of England, who had been called the country party, or any great portion of them, supported this question, he would find that in that supposition he was egregiously mistaken. He asked the noble Lord if Bentinck came over with William from the Low Countries to give four new bishops Brummagem mitres? Did his ancestors come over with William to make these Brummagem mitres, and put them on the heads of the successors of Laud? And where, too, was the Member for Shrewsbury? He was canvassing the farmers not only of Buckinghamshire, but of all England. He was riding through all Buckinghamshire in John Hampden's saddle; but he asked, how it would fit the "popular principles" of the Member for Shrewsbury to support this Bill with its four bishoprics? In their absence would any of their friends tell why they had been silent? He (Mr. Escott) knew why they had been silent, and he would tell the people they represented why. The divisions upon this question would not be decisive with the country, nor would the speeches in favour of this Bill recommend the speakers as representatives of great constituencies in another House of Commons. After culling the arguments used in this debate, the only reason in favour of the Bill appeared to be this: they were told the Bill did not originate in this House; it had come down from the House of Peers, and for that reason they ought to pass it. The Bill, it was true, had come down from the other House; and he recollected another Bill which had come down from the House of Lords, the pressing of which Bill in this House had turned out Sir Robert Peel's Government. That Bill had also been brought from the House of Lords; and he (Mr. Escott) had told a Friend of his in that Cabinet, that if that Bill were persevered in, the Ministry would lose two things—they would lose the Bill, and they would lose power. He was laughed at; he was told he was wrong, and that the Bill would be carried. What happened? That Bill, brought like this from the House of Lords, was persevered in; the Commons threw it out, and the Government lost their places. It had been said, that the money of the people was not required for these new bishoprics; but, though the money did not come from the Consolidated Fund, it was taken from a portion of the people—from a meritorious, hardworking portion of the people—the parochial clergy. The Commissioners had given it to them; Parliament gave it, the people would cheerfully give it to the hardworking and pious clergy of the Church; it was wrong, therefore, to say the money was not taken from the people. It was not, indeed, raised by the Chancellor of the Exchequer; but it was taken from the hardworking clergy, who would lose it if it was employed in endowing four new bishoprics. Suppose a famine, and that the people were starving, and that a portion of our aristocracy came forward and gave money or land; and, making a great sacrifice, put their estates in commission; suppose the Duke of Devonshire, the Marquess of Westminster, and Baron Rothschild submitted to such a sacrifice to save large masses of the people from starvation; suppose, at the close of the season, when the famine had been stayed and the starvation had subsided, Government were to say, "We will bestow the surplus fund, not upon the people, in supplying them with food, but we will employ it in endowing two additional Lords of the Treasury?" Would the country tolerate this? If, then, no reasons could be assigned in favour of the measure, why should not they (the opponents of the Bill), taking no unfair advantage, upon this great question, persevere in their opposition to a Bill which they believed the people were opposed to —that belief being strengthened by the fact that no representative of a large constituency came forward to argue in its favour? He admitted that there had been a majority in favour of the Bill, but not a majority of the House of Commons. Had one-half of the House of Commons voted for the Bill? No; the highest majority in favour of the Bill had been barely one-fifth of the House of Commons. Was he wrong, then, in saying that the majority of the House of Commons was not in favour of the Bill, when only one-fifth had declared in its favour? Had he not a right to infer that the real majority was against the Bill? Where were the others? If any hon. Member would take the trouble to analyse the divisions, he would find that the Bill, if passed, would not be carried by that (the Ministerial) side of the House, but by eighty-seven Members on the other side. Under these circumstances, he felt it to be his duty to persevere in his opposition to this Bill. It would give him the greatest satisfaction if Government, consistently with personal honour, could withdraw the Bill; and if they looked at the difficulties surrounding them, they would at all hazards make up their minds, either to-night or on the day of prorogation, to part with it, now and for ever. One portion of the Government, more than any other, had responded to the feelings and wishes of the people. He alluded to the

Board of Trade. Neither the noble Lord who had been at the head of that Board, and who was now Lord Lieutenant of Ireland, nor his hon. Friend the Vice President of that Board (Mr. M. Gibson), who gave the additional influence of his popular abilities to the Administration in the country, had voted in favour of this measure. And Lord Brougham,

> "O! si solitæ quicquam virtutis adesset!"

how would he, at one time, have made his former Colleagues in the House of Lords tremble at their own audacity! However, he said they (the opponents of the Bill) were determined, they were resolved that they would debate this Bill. Ministers might prorogue on Thursday; but on Thursday they should not carry their measure. He moved that the other Orders of the Day be read.

MR. AGLIONBY wished to call the attention of the House to some parts of the evidence of two eminent Prelates, which he thought of great importance with relation to the question before the House. The Bishops of London and St. Asaph had been examined before the Committee on the 8th of July, on the subject of the appropriation of the Episcopal and Common funds, whether the two funds might not be applied to one object; and the House would observe the opinions of those eminent Prelates. The Bishop of London was asked—

> "The funds entrusted to the Ecclesiastical Commissioners consist of two funds—one being entitled the Episcopal Fund, and the other the Common Fund?—Yes.
>
> "Do you consider it expedient to continue this distinction of the two funds?—Decidedly.
>
> "What is the advantage of keeping these funds distinct, both being to be applied to promote the efficiency of the Church?—In the first place, we want provision for more bishops. I should say, if the funds were sufficient, we want provision also for those officers who are of great importance to the bishop, as assistants to him in the execution of his duty—I mean particularly archdeacons, whom I would rather see paid, if possible, out of the Episcopal fund than the Common fund. I think also that, if the state of the funds shall at any future time allow it, we ought to appropriate the surplus to the maintenance of colonial bishops. I am not, however, prepared to say that there might not, at some future time, be furnished by the same fund some assistance towards the augmentation of poor benefices."

Upon another occasion he was asked—

> "Under any condition of your funds, as long as the rule stands that those which arise from episcopal sources shall be devoted to episcopal purposes only, without an alteration of that rule you could not divert those funds to the purpose of augmenting the living of the clergyman of a parish?—We could not out of the funds which come into our hands do it, because all these funds are pledged to increase the incomes of the twelve bishoprics."

The Bishop of St. Asaph, in reply to questions 1,004, 1,005, 1,006, and 1,007, said—

> "There is a greater want of increase in the staff of bishops than in any other one thing in the Church; if there were more bishops they should get a charitable fund to provide for the small clergy. [How?]—By arranging and managing them, and calling on the laity to subscribe money for that purpose."

He apprehended that the House would hold him perfectly justified in drawing attention to this report. He was in favour of extending spiritual instruction, but it ought to be done by increasing the comforts of the working clergy, and not by making new bishops.

MR. HUME remarked that if the feeling and spirit of the bishops were to be taken as the feeling and spirit of the rest of the clergy who advised Her Majesty, there seemed no hope of the improvement of smaller livings, while it was possible to make another bishop, whether for home service or for duty in the colonies. It seemed of the utmost importance that the House should pause before it adopted this Bill, and, prior to the appointment of new bishops, to inquire why the salaries of the Scottish bishops of Aberdeen, St. Andrews, Glasgow, &c. should not be augmented? Their claim might be most fairly put forward, for at present they had a stipend of only 50*l.* derived from some fee-fund. The whole of the seven bishops of the Episcopal Church of Scotland had not emoluments to the amount of more than about 1,200*l.* He was aware that to attempt to give new salaries to bishops in Scotland would excite in that country a feeling akin to that with which the present Bill was resisted. He deeply regretted that the noble Lord at the head of the Government had not reconsidered this subject, and agreed to postpone this measure to another Session. He protested strongly against proceeding further with the measure, though he only meant to give it a fair and legitimate opposition. Many were of opinion that if it passed it would be impossible hereafter to avoid the endowment of the Roman Catholic Church; and on this ground some of the best friends of the bishops watched its progress with the utmost alarm. He did not require the noble Lord to abandon the measure entirely, but merely to defer it until a new Parliament were assembled; and he entreated the noble

Lord to reflect how much he injured the cause of liberal government by the course he was pursuing. If, during the recess, it appeared that the plan was approved by the country, the noble Lord would have his hands strengthened to go on with his undertaking hereafter. Those were far from being the friends of the Church who precipitately forced such a measure as the present upon a reluctant people: it would show that regard was only had to the emoluments of bishops, while the real wants of the humbler clergy were wholly neglected. On these grounds he protested most earnestly against the further progress of the measure, and implored the noble Lord not to waste the time of the House in discussing what must ultimately be relinquished. There would be no harm in allowing this Bill to follow the fate of so many others which Ministers had in vain endeavoured to carry.

Lord J. RUSSELL: I cannot but think, after hearing the speeches that have been made on this and other occasions, but more especially after hearing the speech of the hon. Gentleman who has just sat down, that the opposition to this Bill has arisen mainly from misapprehension, both on the part of a small minority in this House, and of many respectable persons in the country, who appear to me not to have well understood, or to have well reflected on what has already been done on the subject of Church reform. The hon. Member for Montrose has represented now, as he has represented on former occasions, that everything has been done for the hierarchy, and nothing for those who have the cure of souls; that the interests of the minor clergy and the great mass of the people have been neglected, while the interests of the bishops only have been considered and promoted—and that the general tendency of the present measure has that object in view, and nothing more. Now, I beg to remind the House—that which I had hoped the House would have been fully aware of when this Bill was first brought in—what was the real state of the Church in this country, some years ago, before Lord Grey's Government first had it in contemplation to reform that Church, and before the right hon. Baronet the Member for Tamworth advised the Crown to issue a Commission for the purpose of considering all matters relating to the Church. First, with regard to the hierarchy—there were many bishops who had very large, and, I should say, exorbitant revenues. The Bishop of Durham had an income of between 22,000*l.* and 23,000*l.* Other bishops had revenues of some 500*l.* or 600*l.*, or perhaps 1,000*l.* a year; but then their incomes were eked out by their having prebendal stalls and holding livings *in commendam.* At the present moment the Bishop of Llandaff is Dean of St. Paul's; and one or two of your bishops — one of them being the Bishop of Bath and Wells—held a benefice for the cure of souls in one of the counties. This was considered a great evil, and one which ought to be corrected. But this was not all. There were many clergymen who held dignities in the Church, and with them several benefices with the cure of souls. I remember myself looking over the clergy list, and there finding 15 persons holding 64 pieces of Church preferment. Then with regard to pluralities, at the period to which I am now referring there was no efficient legislative check to a clergyman holding several livings at the same time. In various parts of the country, clergymen held livings at 300 or 400 miles distant from each other, and many of which were of considerable value. Now, Earl Grey's Government had partly considered this matter, and Lord Melbourne's Government was pursuing the same subject, when the right hon. Baronet the Member for Tamworth (Sir R. Peel), in 1834, was called to the Councils of the Crown. It appeared to that right hon. Gentleman, that, instead of proposing a reform of the Church founded upon the opinions of the Executive Government, it would be better to appoint a Commission, consisting partly of laymen, partly of persons holding office under the Crown, and partly of a certain number of the bishops and archbishops, in order that they might apply their attention to these various evils. The Commission was appointed, and the Commissioners had made their first report, when Lord Melbourne, in 1835, came into office a second time. On the resignation of Sir R. Peel's Government, Lord Melbourne and several of his Colleagues became members of the Commission, of which I was myself one. We applied ourselves, in the first place, to the consideration of the incomes of the bishops. It appeared to us that the holding of dignities and livings *in commendam* by the bishops, for the purpose of eking out their incomes, was a very great abuse, and one which ought to be cured. But then there occurred the difficulty, that should any of the incomes which were disposable for other purposes connected with the Church be applied to make up the incomes of the bishops, by reason of our taking from them their dignities and the benefices held by them *in commendam*, then the means for augmenting the income of small livings and endowing new churches would be absorbed. The Commissioners arrived at the conclusion that it would be better not to apply any of those revenues which might be otherwise applied, to the purpose of increasing the reduced revenues of the bishops. On examination it was found that another fund could be created for that purpose; for it appeared that the larger bishoprics—those which had very considerable revenues—might be so diminished as to afford a fund from which the smaller bishoprics might be augmented, without in any manner touching upon the other funds. We, therefore, proposed that the abuse, as we considered it to be, of bishops holding livings *in commendam*, should be altogether abolished ; that the income of the Bishop of Durham should be reduced from 22,000*l.* a year, to 8,000*l.* a year ; and that the revenues of various other bishoprics should also be reduced. In this manner an income would be provided for the other bishops, and an end would, at the same time, be put to an abuse which had hitherto existed. There was another, not a legal, but a practical abuse, which was in great part corrected by the same measure—I mean that of the frequency of translation. It could not be expected that men of learning and of merit, who were appointed to a bishopric of 1,000*l.* or 2,000*l.* a year, would not, when an opportunity occurred of placing them in a situation of much greater value, take advantage of the practice of translation; but, it must be obvious that the more we equalized the incomes of the bishops, the more rare would the system of translation from see to see become. The benefit resulting from this would be, that the bishop would become more intimately acquainted with the clergy of his diocese ; he would not have his attention distracted by looking for a translation to another diocese; and thus his attention and care would be concentrated upon the district to which, in all probability, he would be attached for life. I cannot but consider that that measure, although referring only to the bishops, was one of very considerable importance to the Church, and one by which the character of the Church was very much improved. From this mode of disposing of the surplus revenues of some of the bishops, arose that distinction between the two funds called the Episcopal fund and the Common fund. I have already stated that I am by no means prepared to say that the separation of those funds should be perpetual, or that there may not be very good reason, upon examination, for putting an end to the distinction. I say nothing of the kind. But, at all events, there was some convenience in being able to put an end to the abuse of bishops holding livings *in commendam*, without having to raise money from any other source than the bishoprics themselves. The next question that came under the consideration of the Commissioners was the canonries, deaneries, and cathedral chapters. We found, when we first introduced the measure relating to this subject into the House, that there were considerable objections made by some parties who were strongly attached to the Church. They thought that we were trespassing too greatly upon the Establishment. But we were of opinion that a very considerable diminution might be made in the number of canonries and other offices belonging to the cathedrals, where there was very little duty to be performed ; and therefore, by the Act of 1840 (3 and 4 Vict., c. 113), we suspended, or in other words, extinguished six canonries at Canterbury; six at Durham, Worcester, and Westminster (respectively); eight at Windsor; seven at Winchester; three at Exeter; two at Bristol, Chester, Ely, Gloucester, Lichfield, Norwich, Peterborough, Ripon, Rochester, Salisbury, and Wells (respectively); and one at Hereford. All the canonries but one were suspended at Southwell. All but two were suspended at St. David's and Llandaff. The non-residentiary deaneries were suppressed. Two canonries at Christchurch were annexed to new professorships in the University of Oxford. Two at Ely were annexed to Regius Professorships of Hebrew and of Greek respectively in the University of Cambridge. We provided means by which new archdeaconries and rural deaneries might be formed. Hasely rectory was severed from the deanery of Windsor; minor canons were not to hold any benefice beyond six miles from their cathedral or collegiate church; and we suppressed sinecure rectories altogether. The value of all these ecclesiastical offices, according to the computation at the time of their suppression, amounted to 134,000*l.* a year. That is to say, without robbing any man of that which he had by law, but calculating what would be the value when taken possession of by the Ecclesiastical Commissioners, the property amounted, in 1840, to 134,000*l.* a year; but the present computation is, that, from the better management of the property, the amount that will be realized by the Commissioners will not be less than 300,000*l.* a year. Let me now call the attention of the House to the purposes to which this sum, so derived from the dignitaries and canons, was to be applied. I know not what may be the opinion of those hon. Gentlemen who have been railing at us for some time, and asserting that we have not given up any patronage of the Crown or of the Church; I know not what their opinion may be on hearing the statement I have just made. I may here mention the fact that even this very year, since my return to office, I should have had a prebend to confer which was in the patronage of the Crown; but, in consequence of the Bill of 1840, it has fallen into this fund, thereby diminishing very considerably the patronage of the Crown, and of those who hold those high offices in the Church. Then it has been enacted—

> "That, except as herein otherwise specified, all the monies and revenues to be paid to the Ecclesiastical Commissioners," &c. "shall be carried to a common fund;" "additional provision shall be made for the cure of souls in parishes where such assistance is most required," &c. "Provided always that in making any such additional provision, &c., due consideration shall be had to the wants and circumstances of the places in which such tithes now arise, or have heretofore arisen."

There were provisions for securing the better performance of spiritual duties in endowed parishes; and "the valuation of the revenues of the bishoprics, cathedrals, collegiate churches, and ecclesiastical corporations, aggregate and sole, were from time to time to be amended." We have not been, as we have been told, throwing thousands of pounds away upon erecting bishops' palaces, and augmenting the incomes of the dignitaries of the Church, utterly neglectful of the interests of those in humbler stations who have to take care of the souls of the people. We are not open to this reproach. On the contrary, we thought that these superfluous dignities of the Church, which, while they afforded patronage to the Crown, and vast revenues to some few of the bishops, did not, in our opinion, contribute either to the usefulness or to the efficiency of the Church—we thought that they might be taken away, and that their yearly value—estimated, as I have said, in the first instance, at 134,000*l.*, but which has since been increased to 300,000*l.*, might be very properly devoted to the augmentation of small benefices. This we have done. Don't let me be told, then, that we have utterly neglected those who, with very inadequate incomes, are endeavouring to do their pastoral duty to the flocks confided to their care. Let us not be accused of leaving the poor working clergymen to destruction. There is another subject to which I shall briefly advert. The hon. Member for Montrose spoke on the subject of pluralities. He said that he had attempted in vain to abolish pluralities. Why, Sir, by one of our measures it was enacted that no clergyman should hold any second benefice that was more than ten miles from the one on which he resided. That measure has very nearly put an end to pluralities. Upon examination of the subject, we consider that when there was a living, say of 40*l.* a year, and another living of 60*l.* a year, lying near each other, it was better that one clergyman should hold both livings, than that each living of so small a value should be held separately. If the Ecclesiastical Commissioners had the means of increasing the income of these small livings sufficiently, it might be in their power to correct and restrict pluralities still further; but I do submit, that to advance from what was an unlimited abuse of pluralities to such a restriction as has already been effected, is in itself a very great reform of the Church. I have stated these things, not wishing to take up the time of the House unnecessarily, but because I really think they have been utterly lost sight of in our lengthened discussions. What I am now proposing is, not to take the whole surplus revenue from the Church, whatever it may be, to devote it to the creation of more bishops. That is not my proposition, neither is it the proposition of the Ecclesiastical Commissioners. I have nothing to do with the individual opinions of the Bishop of London or the Bishop of St. Asaph. I have had frequent communications with the Bishop of London; with the Bishop of St. Asaph I have not had any communication; but I have never heard the Bishop of London speak of the appropriation of these surplus revenues in any other manner than that which I have just stated to the House. I have now shown you that this reform was first commenced by the

Government of Lord Grey, but that it was afterwards practically carried into effect, first, by the appointment of a Commission during the Administration of the right hon. Baronet the Member for Tamworth; next, by the reports made by that Commission; and, lastly, by the Bills founded on those reports, which I have had the honour of proposing to Parliament. In all these changes we have constantly considered what was due to the efficiency of the hierarchy, and what was the best mode of providing for the spiritual wants of the people. I must be permitted to observe, that, although the right hon. Gentleman the Member for Tamworth, and the right hon. Gentleman the Member for the University of Cambridge, and I, have contested upon different occasions what was the true course for the welfare of the country; yet I believe that, from the beginning, with respect to this question of ecclesiastical reform, when I was out of office, I had the greatest satisfaction in supporting them, and, when I was in office, I always received from them the most cordial assistance in carrying out the measures proposed by the Government. I say this to show that parties differing on other subjects have agreed upon the subject of ecclesiastical reform. The right hon. Gentleman the Member for Tamworth, when in office, proposed a measure for borrowing 500,000*l.* to make new districts with moderate incomes attached to them, and that measure I supported. I do not wish to argue this question; for, notwithstanding what was said by the hon. and learned Member for Winchester, the reproach made to me might be that I had argued it over and over again to satiety, rather than not at all; but what I wish to show is, that this measure is one of a series of measures, and that it does not stand alone, solely for the purpose of augmenting the number of bishops; but I confess that I do think, as I have stated more than once, that making provision as you have done for the reform of abuses, for doing away with livings held *in commendam*, and the translation of bishops, for abolishing sinecure livings, and for the better provision for the cure of souls, remedying to a great extent the evil of pluralities, and those abuses which, a great many years ago, were pointed out by Bishop Watson as great defects of the Church, you are at liberty, if you can see that the ministrations of the Church may be made more useful by providing for bishops in dioceses to be hereafter created, not to consider that the Church and the concerns of the Church are matters so finally settled that you ought to leave that body without the principle of life and extension which belongs to all bodies, both lay and civil, and which I think ought also to belong to the Church. The result will be, that if the whole of the present plan is carried into effect—not the plan of the present Bill, but the plan I have hinted to the House—300,000*l.* being applied from the purposes of the cathedrals, of deans and prebendaries, to the purposes of the cure of souls and increasing the number of clergymen in populous districts—you would have somewhat less than 17,000*l.* to increase the number of bishops where the dioceses have become so populous and so heavy in their labours as to require some relief. The Bill which we now propose contains only a part of the plan; but I must say that I think it is an essential part of the plan as it now stands, distinguished from others which have been stated to the House, that there should be an increase in the number of bishops beyond that of Manchester, and also that the new bishops should not be an increase of the number of bishops sitting in Parliament. I hold to these two principles. I do not propose to take a single penny from the taxation of the country for the purpose of creating these bishoprics. I do not propose that a single seat in the House of Lords should be given for the purpose of creating ecclesiastical power in our legislation; but I do propose that, taking the whole revenues of the Church, and taking the admission generally made that those revenues are not over and above what are required for the wants of the Church, some small portion of them may be applied to increase the number of bishops, and that that may be usefully done, and to the benefit of the Church, without adding to the number of bishops sitting in the House of Lords. In both those conclusions I have the sanction and agreement of those bishops who sat on the Commission. Well, I believe it was to be expected that many would have asserted what has been asserted in this House —that you ought not to allow a bishop to be created without at the same time asserting his right to a seat in the House of Lords — that it is an inseparable part of the title and privileges of a bishop that he should have a seat in the other House of Parliament. I differ from that conclusion; and, as I have stated, the bishops generally are quite content with the conclusion to which I have come. Being satisfied then with that conclusion, I ask the House to go into Committee on this Bill. We shall not be indisposed to discuss any details of the Bill that may be attacked; and I think that, having on Friday night said I was quite willing to give up sitting on Saturday, that the House might go fairly into Committee on this day, I am making a not unreasonable request that the House go into Committee and hear the objections of my hon. Friend the Member for Manchester, and the right hon. Gentleman the Member for Dorchester, and others, with regard to the details of this Bill.

Sir W. MOLESWORTH said, that the arguments of the noble Lord might be summed up in one single sentence. The noble Lord said they had done much good, and therefore they were now entitled to do some evil. It would be an abuse to make an additional bishop, unless it were clearly proved that such bishop was required; and he begged the House to observe, that as yet the noble Lord had assigned no reason whatever for such a step; and unless he could prove the necessity of it, he (Sir W. Molesworth), for one, should offer to the Bill his most determined opposition. He thought that the House and the country should clearly and distinctly understand the nature and character of the opposition which was now offered to this measure. It was a fact notorious to the House, that the majority of the Liberal party in Parliament wished it to be postponed. During the course of the last debates, twenty Members on that (the Ministerial) side of the House had spoken, and of those twenty, seventeen had expressed their decided disapproval and opposition to the Bill. Only three Members had spoken in favour of it, namely, the right hon. Gentleman the Home Secretary, the noble Lord, and one other hon. Member; and he felt perfectly satisfied that they could not find three other Members on that side of the House who would dare to rise up in their places, and boldly declare that they approved of the principle of the measure. Would any one of those hon. Gentlemen who were referred to by his hon. and learned Friend the Member for Winchester, rise in his place and tell them or the people of England that he approved of that Bill, and thought it ought not to be postponed? It was a known and notorious fact, that two-thirds of the hon. Members on that side of the House who had voted in favour of the Bill, wished in their hearts that it should be postponed; and that fact was as well known to the noble Lord as it was to himself. He felt, therefore, that, although they who openly opposed the Bill were a small minority in that House, they did truly represent the opinions of the majority of the Liberal party in England. And now let him state what in his opinion were the reasons which determined the minority to oppose this Bill. They contended that at that period of the present Parliament, when every other measure of importance whatever had been passed over or postponed, they ought not to be suddenly compelled to discuss the great and important question of whether the hierarchy of the Church of England should be increased, and whether any additional bishops were required. Let them remember the statement of the noble Lord, that this was part of a greater measure; that they were not only proposing the creation of one bishop, but were laying the grounds for the creation of not merely one, but two, three, or four, at a future time. The noble Lord did not deny that; and that was a question of great and serious importance—one upon which he did not feel himself prepared to form a positive and decided opinion. What he wanted was, to wait and know the opinion of the people of this country upon the subject. Why would they not wait until the next Session of Parliament? The only reason for pressing this measure was, lest, during the recess, the diocese of St. Asaph or Bangor should become vacant; but why not content themselves with passing a Bill to meet that contingency, and let the matter then come fairly before the next Parliament? Let them then consider the whole state of the Church, and whether it would be for the benefit of the Church that they should establish one, two, or three more bishops; and he would promise them seriously to consider the question with a view to the interests of the Church; and if they could assign any one reason why they should increase the number of bishops, and that they would thereby benefit the Church, he, for one, would support it; but let them not be forced at a time when it was impossible for them to know the opinion of the people of England, or for them properly to consider or study the subject.

Mr. TRELAWNY thought it very wrong that this measure should be pressed forward at that period of the Session; but he would not be a party to any factious opposition to it.

LORD J. RUSSELL wished to say a word or two of explanation. When he spoke of a series of measures, he did not refer to measures hereafter to be introduced; on the contrary, he merely referred to a foregoing series of measures respecting pluralities, and the holding of livings *in commendam*.

MR. J. COLLETT would not trouble the House for more than a few minutes; but he could not allow any opportunity to pass without condemning the measure then before them as most unjust—as one which was disgraceful and discreditable—as one contrary to the opinions often expressed by the noble Lord at the head of the Government, and contrary to the principle of the Appropriation Clause, for which he had most strenuously contended. The hon. Member then read a letter which he had recently received, and which in the strongest terms condemned the Bill then before the House. The hon. Member was proceeding to read another letter amidst cries of "Oh, oh!" when

MR. WILLIAMS WYNN rose to order. It was irregular to read any documents, except as part of a speech, unless the House gave permission.

MR. HUME begged leave to differ from the right hon. Gentleman, and referred to the daily practice of hon. Members.

MR. SPEAKER concurred with the right hon. Gentleman in saying that it could only be read as part of a speech; and as to the letter now proposed to be read, the House would remember that it was irregular, as referring to a former debate in the present Session.

MR. T. DUNCOMBE, although he objected to the details of the Bill then before them, yet, after the termination of proceedings on Friday, and after the House sitting on Saturday without taking up this Bill, thought it would be rather a violation of the understanding he had entered into with Ministers if he now objected to going into Committee. Since that arrangement the noble Lord at the head of the Government had entered rather fully into the subject; but yet he had not answered one question, namely, what injury could possibly arise from a delay of six months? Were the Ministers afraid of going to the country on the Bill—were they afraid of public opinion?

MR. OSBORNE joined in the solicitations of the last speaker, that going into Committee might not be further delayed.

MR. ESCOTT withdrew his Amendment.

House in Committee.

MR. M. PHILIPS said, as he believed they stood exactly where they were on Friday night, he would move that the words "and forthwith establishing a bishopric of Manchester" be expunged. He had hoped that the noble Lord would in the interval have resolved not to press the Bill further this Session. He (Mr. M. Philips) had seen, since Friday, a deputation from constituents of his who were concerned in Church matters in the borough of Manchester, who expressed it as their opinion that it would be wiser in the noble Lord to suspend any further legislation on this subject for the present. There was a sum of 6,000*l.* per annum now applied to the Collegiate church of Manchester, and which, with good management, was capable of great increase. They were very anxious that this money should not be exclusively applied to cathedral and diocesan purposes, but entirely to parochial purposes. Now, his own opinion being against the establishment of the Bishopric of Manchester, he had expressed his opinion in that House—an opinion which was also that of a great portion of his constituents—but he was also bound to state the opinions of any other body of his constituents who were opposed to him. In this case, however, there was an unanimity on the subject of the impolicy of pressing this Bill at the present time; and he hoped the noble Lord would not press it. He could not but regret that the first vote he was called on to give in that House had been given on the Irish Coercion Bill, against the Government of which the noble Lord formed a part; and he could not help especially regretting that the last vote which he would in all probability give must also be given against the noble Lord, to whom he felt indebted for so many reforms, and, above all, for the great Reform Bill itself, by which the town he had the honour to represent was first enfranchised. The hon. Member concluded by moving his Amendment.

MR. CHOLMONDELEY did hope that a subject so important as this, involving the spiritual welfare of the people, would be discussed in a calm and judicial spirit, and not made a vehicle for mere electioneering manœuvres. This Bill embraced two subjects—to prevent the abolition of the bishopric of Bangor, and to establish that of Manchester. To the abolition of the see of Bangor, he begged to offer his most decided opposition. It was an evil time for the country when it began to lose its respect for antiquity. The see of St. Asaph was established in the eighth century, and that of Bangor about the same time. The first Prince of Wales was baptized by a Bishop of Bangor. With regard to the establishment of a bishopric of Manchester, that was a matter intimately connected with the spiritual welfare of the district. It had been proved that the necessity existed. Hon. Members opposite spoke of the proposed bishopric as an "infliction" on the Dissenters of Manchester; but it was no infliction on them. In proportion to the number of the population, the bishops, officiating as spiritual overlookers, were now much fewer than formerly; and the question was, were the interests of the Church concerned in that proper balance being restored? Either episcopal government in the Church was good, and bishops were essentially necessary; or such a mode of government was bad, and bishops were not required. But if the excellence of episcopal government was admitted—and he believed it was denied by no Churchman—then there could be no ground for opposing the Bill. He was one of those who believed in the efficiency of such a government, and he considered that they were as much bound to continue and extend that episcopal government as any other branch of the service. And, as every other branch but this had been attended to and made proportionate to the wants of the growing community, he thought it was high time to repair in some way the neglect. An hon. Friend of his had pointed out the disorders which had arisen in Manchester in the affairs of the Church; and he attributed this to the want of episcopal superintendence. The hon. and learned Member for Bath seized the admission as an argument to show the inutility of the bishops, inasmuch as he found that Manchester already was under the care of a diocesan. But the fact proved only that the Bishop of Chester already had too much to do, and that there was an absolute necessity of dividing the labour, now imposed upon one, among two or more persons. He agreed in all that had been said by the right hon. Baronet the Member for Dorchester as to the importance of having the bishops in the House of Lords. The Church should not be the only body unrepresented in Parliament; and he did not deny that to the office of bishop there should be attached the responsibility of publicly answering any question that might be put to him. He would not now, however, express any decided opinion upon the question of the other and future bishops sitting in the House of Lords. He was not at this moment called upon to do so, because the present Bill proposed nothing more than to repeal so much of an Act of Parliament as related to the union of the Welsh bishoprics, and bringing into activity and operation a bishopric already created. He was quite willing to leave the discussion of this subject to another period; and in the mean time he fully accepted the proposal of the noble Lord to erect a bishopric of Manchester, on the understanding that the bishop would have no seat in Parliament. Looking upon the episcopate to be of the utmost importance, he believed that this bishopric would immediately prove a blessing to the people of Manchester. He would now even venture to thank the noble Lord on behalf of that town; and he had not the slightest doubt that in the end Manchester would itself come forward to testify its gratitude for the benefit which this Bill would confer. He returned thanks, also, on behalf of his own constituents, and on behalf of the inhabitants of the Principality of Wales, for the course taken by the noble Lord in preventing the abolition of the two time-honoured sees, and in refusing to tear from ecclesiastical history a page in which were written names among the most distinguished of the Church.

Lord J. RUSSELL wished to address a few words to the Committee with regard to what had been stated by his hon. Friend the Member for Manchester. He did not think that the reasons given by his hon. Friend, or rather offered as the reasons of the constituency, were such as to make it necessary to introduce a clause in respect to the dean and chapter of Manchester. The question with regard to parochial duties, or any duties connected with the wards, to be performed by the dean and chapter, did not properly enter into this Bill. At the same time, having heard the statement in the debate that the revenues of that dean and chapter were derived almost entirely from Manchester and its vicinity, he did think provision ought to be made in some future Bill for the better spiritual care and superintendence of Manchester by means of those funds. In what manner that was to be done, depending on the exact state of the law at present, he was unable to say. Sufficient reason, however, it appeared to him, had been given for calling the attention of Parliament at some future time to the position of those revenues.

MR. HUME thought that the arguments which had been used by the hon. Member for Montgomery (Mr. Cholmondeley) tended to a very different conclusion from that to which the hon. Member had come. The hon. Member had spoken of the Welsh bishops, as if they had been instrumental in keeping Christianity alive in that part of the country; but it seemed to him they had rather buried it. The people there were, in fact, quite indifferent to the separation or union of the two sees of St. Asaph and Bangor; and if the interests of the Church were any consideration in this disposal of money, it would be the wisest plan to spend the 8,000*l.* that was about to be thrown away on bishoprics, in improving the condition of the wretchedly poor Welsh clergymen.

MR. HORSMAN said, that he would support the Amendment of the hon. Member for Manchester, on the ground that, by the arrangement of 1836, the erection of the Manchester bishopric was made contingent on the junction of the sees of Bangor and St. Asaph. It was now proposed that these sees should be disunited, and that the see of Manchester should be erected independently. He wished the arrangement to take place as originally contemplated. He objected to the word "forthwith" in the preamble; and, while, he went with his hon. Friend, it was for different reasons.

MR. NEVILLE said, the hon. Member for Manchester had complained of the spiritual wants of Manchester, and in that he went along with him; but he thought there could be no better way of having that spiritual destitution attended to than by having the district placed under a bishop of their own.

MR. CHOLMONDELEY, in order to show that the opinions of the clergy were opposed to the union of the sees of St. Asaph and Bangor, read the following extract from a pamphlet published on the subject, which he considered a sufficient answer to what had fallen from the hon. Member for Montrose:—

> "The proposed union of the two sees is frequently defended by arguments founded upon the accession of revenues, which the parochial clergy would receive from the diversion of a part of the present episcopal incomes to the augmentation of the poorer livings. The clergy, however, are almost unanimously adverse to a measure which is represented as pregnant with such advantage to themselves. They prefer the separate existence of the two sees to the augmentation of the livings. This opinion, so creditable to their disinterestedness, is grounded upon a conscientious conviction, that no private emolument to themselves can compensate for the ecclesiastical injury which the mutilation of one of its sees will inflict upon the Church in Wales, and upon the religious welfare of its population."

SIR W. MOLESWORTH said, hon. Members would do well to bear in mind that the question before the Committee was, whether there should be an additional Bishop of Manchester. In discussing the Motion of the hon. Member for Manchester, and the Motion of the right hon. Baronet the Member for Dorchester, he would suppose that the only question at issue was, what would be most for the benefit of the members of the Church of England? Then the first question would be, whether the present number of bishops were sufficient for the government of the Church of England, and for the management of its affairs, or whether more bishops were required for Manchester, Cornwall, and other places? The second question would be, whether it would be better to increase the number of bishops, or to improve the condition of the poorer portion of the parochial clergy? Those were the questions which the noble Lord the Member for the city of London ought to have discussed, but which he had as yet evaded. The noble Lord had on a former occasion observed, that all other religious communities had the power of improving their machinery, and increasing the number of their heads when they thought it necessary; that the Roman Catholics could increase the number of their bishops and vicars apostolic; that the Presbyterians and Wesleyans could increase the number of their districts and stations; and the noble Lord asserted that the union of the Church of England with the State ought not to prevent that Church from enjoying similar advantages. He did not controvert the position that the Church of England ought to be permitted to increase the number of its heads, when that increase was necessary. But he called upon the noble Lord clearly and distinctly to prove that such an increase was necessary—that more bishops were required. The noble Lord had done nothing of the kind. He had made some vague assertions with regard to the increase of population in certain districts; but had omitted to state what portion of that increase consisted of Dissenters and Roman Catholics. The noble Lord had contended himself with asserting that the necessity of an additional bishop for Manchester had been proved eleven years ago. He denied that statement. He denied that the necessity of an additional bishop had been proved. Eleven years ago it had been proved that more bishops were not required to govern the Church of England—it had been proved that some of the bishops had not enough to do; that others had, perhaps, more than enough to do; and it had been proposed, not to increase the number of sees, but to alter their boundaries, and to distribute the episcopal duties more equally among the same number of bishops; and therefore an Act had been passed for uniting the two sees of Bangor and St. Asaph, and for dividing the diocese of Chester; and the right hon. Baronet the Member for Dorchester had declared that, in his opinion, the bishop of the united sees might easily perform the additional duties of Bishop of Manchester. Therefore, eleven years ago it was proved, not that an additional bishop was required, but, according to very high authority, there was reason for believing that one bishop might have been dispensed with. It had been said, that as the sees of Bangor and St. Asaph were to be kept separate, and as Parliament had determined that the diocese of Chester ought to be divided, it was therefore necessary to establish a bishopric of Manchester. He asked the noble Lord why he had not proposed to unite a portion of the diocese of Chester to that of St. Asaph, and thus he might enable the Bishop of Chester easily to discharge the duties of the remaining portion of his diocese. The noble Lord had supported the union of the dioceses of Bangor and St. Asaph. By so doing he had declared that in his opinion a Bishop of St. Asaph could perform and ought to perform more episcopal duties than those of the see of St. Asaph. He must, therefore, again ask the noble Lord why he did not increase the duties of the Bishop of St. Asaph, diminish the duties of the Bishop of Chester, and thus dispense with the Bishop of Manchester? No sufficient reason had been given by the noble Lord for an additional bishopric. The people of Manchester were hostile to it; and both the Members for Manchester were opposed to it. With regard to the position of the noble Lord, that it would be unjust if the union of the Church of England with the State should prevent the Church from improving its machinery, by increasing the number of its regulating and governing heads. He thought that it was evidently the tendency of that union at present unnecessarily to increase the number of the heads of the Church. Facts had been stated in the very able, unanswered, and unanswerable speech of the hon. Member for Cockermouth, which proved that the tendency of that union was to augment the wealth, the power, and the splendour of the hierarchy. Its tendency was to create additional bishops, spiritual Peers of Parliament, proud and haughty Lords, as the right hon. Baronet the Member for Dorchester would have them to be, keeping themselves apart and aloof from their subordinate and inferior clergy, not shepherds tending their flocks, but mitred Prelates, dwelling in costly palaces, with almost princely incomes. The consequence of the union of the Church and State, the consequence of the influence exercised by the dignitaries of the Church in the Legislature, was, that the powerful heads of the Establishment were fostered and cherished, while the interests of the poorer and more useful members of the Establishment were comparatively neglected. The interests of these men were overlooked who mixed with the people—were the real friends of the people, and who alone conciliated the affections of the people to the Church of England. Let them poll the people of England. They would find the majority of them in favour of the parochial clergy, whom they esteemed and respected; but they would find the large majority indifferent, if not hostile, to the hierarchy, to the bishops, of whom they had formed much the same notion as the right hon. Baronet opposite had done, namely, that they were men who had only certain apparently mechanical functions or ceremonies to perform, such as consecration, ordination, visitation, confirmation, and the like, for which they were magnificently paid, without any corresponding benefit to the community. They might be satisfied that they were strengthening that conviction which would ultimately be fatal to the union of the Church of England with the State, by the Bill before the House. Could they deny that the interests of the hierarchy were preferred by the State to the interests of the clergy? Could they deny that position after the facts stated by the hon. Member for Cockermouth?—facts which ought to be repeated over and over again till all England rung with them, till all England was ashamed of them. The hon. Gentleman had shown that when the Ecclesiastical Commission was established, in one-third of the parishes of England the income of the clergyman was under 150*l.* a year; yet during the last ten years almost as large a portion of the surplus revenues of the Church had been expended in augmenting the revenues of a few ecclesiastical sees, as had been bestowed upon the 3,500 poor benefices of England. Again, the hon. Gentleman had shown that nearly one-half of the parishes of England were without parsonages in which clergymen could reside; yet during the last ten years more than three times, nearly four times, as much money had been expended out of the surplus revenue of the Church of England upon the building or repairing the palaces of eight prelates, as upon the 4,600 parishes without suitable parsonages. In fact, upon one see alone — namely, Lincoln — more money had been spent upon the residence of one single bishop, than upon all the houseless clergy of England. Could they deny those facts? But it was said that the law was to blame, which made a distinction between the Episcopal and the Common fund. He asked whether such a distinction would have been made if it had not been for the advantage of the bishops who assisted in making it? But why had not the Government proposed to rescind that distinction? By so doing they would render a much greater service to the Church, than by establishing bishops at Manchester, Bodmin, and elsewhere. With regard to the intention of the noble Lord to make a Bishop of Cornwall, as a Cornishman, he protested against it. He constantly resided in Cornwall. He had been for two Parliaments one of the county Members; he might, therefore, express an opinion upon the subject of a Bishop of Cornwall. He felt convinced that none of the Members from Cornwall could contradict what he was going to say. He had never heard that on account of the extent of the diocese of Exeter, the Bishop of Exeter could not perform, or neglected to perform, his duties. He would say nothing of the manner in which that bishop was supposed to have performed, or over-performed, those duties. That was beside the question. He asserted there was no reason whatever for dividing the diocese of Exeter. He stated that a large portion, perhaps a majority, of the people of Cornwall were Dissenters; most of them were on friendly terms with the clergy; they would be glad if the condition of the poorer portion of that clergy were improved. He knew that many of the clergy of Cornwall were poor; they had the care of extensive poor parishes where there were few or no resident gentry. To them the poor, both Churchmen and Dissenters, had recourse in times of sickness, sorrow, and destitution; and seldom or never in vain. He believed that he expressed the opinion of the majority of the people of Cornwall, when he said, that they would infinitely prefer that the condition of the poorer clergy should be improved, instead of the establishment of an independent bishopric in Cornwall. What would be the cost of a Bishop of Bodmin? If he were to be a Peer in Parliament, to live for six or eight months of the year in London—to have a town and country establishment—to dispense hospitality—to subscribe liberally to the usual charities — in short, to be on an equality with other bishops in London, and at the head of the gentry of the county, they would give him four or five thousand pounds a year. Could not that sum of money be expended in a manner much more conducive to the interests of the Church of England in Cornwall? He believed it could. He found from the returns of the Ecclesiastical Commissioners, that of 610 benefices in the diocese of Exeter, in 157 the incomes of the clergy were under 150*l.* a year; in 116 the incomes were less than 130*l.* a year; in 57 the incomes were under 100*l.* a year. He had calculated that the sum which would be required to raise the incomes of all the benefices in the diocese of Exeter to 150*l.* a year, would be about 7,000*l.* a year, or about the cost of a bishop and a half; to raise all the incomes to 130*l.* a year, the sum of 4,000*l.* a year would be required, or about the cost of a bishop; and for the sum of 1,500*l.* a year, or about the third of the cost of a bishop, the minimum income of the clergy in the diocese of Exeter might be raised to 100*l.* a year. Could there be any reasonable doubt as to which would be the best mode of expending the surplus revenues of the Church for the interests of the Church of England in Cornwall? Again, if they appointed a Bishop of Bodmin, they would have to provide a residence for him. There was none for him at Bodmin, or in the neighbourhood. They would have to build one for him. What would it cost? The sum of 16,000*l.* had already been expended upon a residence for the new Bishop of Ripon. Suppose that not more would be required for the new Bishop of Bodmin. He asked whether it would not be better to expend that sum of money upon building glebe houses in Cornwall. For that sum thirty or forty comfortable houses for small livings might be built. He knew many parishes in Cornwall where glebe houses were much wanted. He found from the returns to which he had referred, that in the diocese of Exeter there were 112 parishes in which there were no glebe houses whatever, and 73 parishes in which the glebe houses were unfit for use. In all these were 185 parishes, or about one-third of the parishes in the diocese of Exeter, without parsonages in which clergymen could reside. He entreated the House, as guardians of the Church of England, not to entertain for one moment the notion of endowing so useless a bishopric as that of Bodmin, until the condition of the parochial clergy were improved in the diocese of Exeter. For the reasons which he had stated, he should continue to offer his most determined opposition to the establishment of additional bishops for Manchester, Cornwall, or elsewhere; and by so doing he believed that he should prove himself to be a good friend to the Church of England.

Sir GEORGE GREY observed, that the hon. Baronet who had just sat down, began by expressing an anxiety that the attention of the House should be recalled to the subject before it; and, therefore, he was sure that the hon. Baronet would excuse him if he followed his advice, and confined himself to the question before the House, without adverting to the merits of a proposition which had never been before the House in any shape, and which had not even been submitted to the consideration of the Government. If the hon. Member for Southwark entertained any apprehension of a Bishop of Bodmin being inflicted upon him, he would have ample opportunity in the next Session of Parliament of opposing such a proposition, if it ever should be brought forward. The hon. Baronet had charged the noble Lord with having given no reason for the creation of a new Bishop of Manchester; but he thought that the statements as to the increase in the numbers both of the population and the inferior clergy were reasons sufficient. The statement that the diocese of Chester contained about 2,000,000 of persons ought surely to be sufficient. His noble Friend had read from a return the numbers of the probable population of the bishoprics of Ripon, of Manchester, and of Chester. From that return it appeared that after Chester should have been relieved by the creation of the bishopric of Manchester, it would still contain a population of 912,449; that of Manchester, when separated from Chester, would contain a population of 1,123,000; and that Ripon would have 916,147. But, before all, he had urged the great increase, not only in the general population, but in the special population of Church of England people. He had not the exact figures then before him, showing what had been the increase in the diocese of Chester, but it certainly was very great. The duties of a bishop should not be judged by the standard set up by the right hon. Baronet the Member for Dorchester; and in weighing the question of the value of episcopal supervision, it entirely depended upon whether they took the description of the duties of a bishop from the account given by that right hon. Baronet, or by comparison with an example taken from the conduct and proceedings, with their results, of an active, zealous, pious bishop. Let them take for example the diocese of Ripon, and, looking at the mode in which the bishop of that diocese performed his duties, and the consequences which had so happily resulted in the spread of Christian piety, let them say whether it was or was not impossible for one bishop to perform his duties, if called upon to exercise great vigilance and activity, over such a diocese as that of Chester. They should also recollect that they were not dealing with the question of whether the Church of England should be an Episcopal Church or not. That point was settled. They were dealing with it as an Episcopal Church already; and the question was merely whether they should increase the staff of episcopal superintendents over it. As to the suggestion of relieving the diocese of Chester, by adding a portion of it to that of St. Asaph, it would be entirely out of the question. As a form of relief it would be most inefficient, for the diocese of St. Asaph, although small, numerically speaking, was territorially very extensive.

Dr. NICHOLL explained, with reference to the cost of building the palace for the Bishop of Lincoln, that although the apparent cost was 54,000*l.*, the real cost, including purchase of the site, was only 14,788*l.*, for there were certain reversions belonging to the see which were sold for 47,948*l.*; and the result, so far as the bishop was concerned, would be, that instead of a rental which he had heretofore derived, amounting to 1,250*l.*, from one portion of the revenues of his bishopric, he would for the future receive only 500*l.* There were other portions of property belonging also to the bishopric, which had been disposed of, so that the real cost was only 14,788*l.* of which the Ecclesiastical Commissioners had advanced only 1,200*l.*

MR. B. ESCOTT was glad to hear the right hon. Baronet (Sir G. Grey) state that the whole case rested upon the mere question of the increase of population being a sufficient ground for the increase of the number of bishops. But the right hon. Baronet had not attempted to prove that bishops were the persons best calculated to spiritualize the increasing population. He had not attempted to assert that bishops and not working clergy were the most suitable instruments for giving that spiritual instruction to the people which they wanted.

MR. HUME said, that the right hon. Baronet (Sir G. Grey), in estimating the increase in the population of Manchester, had not made any allowance for the large proportion of Dissenters. As to the charge of the Government violating the compact which had been entered into in 1836, he repeated that charge, and he would repeat it again and again despite of what had been said upon the subject. He repeated that a distinct compact had then (in 1836) been made, and that the present measure was a violation of it, and he should again and again repeat it.

LORD JOHN RUSSELL said, that as often as the charge had been made that a compact had been entered into in 1836, so often had he said there was no such compact, and he should again and again repeat the denial. When the question had been brought before the House last year, what he (Lord J. Russell) had said, was, that he thought the arrangement made in 1836, had better have remained without change; but that since the House of Lords had sent down such a Bill, it would be better that the whole question should be taken into consideration; and he promised to do so in the present Session. He should again say that he thought they should not in human affairs allow them to go on without progress; and the law of political progress, which was similar, should apply in the present case. They could not meet it by saying that what was once said and established was not to be considered again.

MR. HORSMAN said, that since he had last addressed the Committee, he had referred to a statement made last year by a Cabinet Minister, which by an odd coincidence happened to have been made on the very same day of the year as the present. Lord Lansdowne, in speaking of a petition presented by the Earl of Powis against the union of the sees of Bangor and St. Asaph, said—

> "He found that these petitioners never objected in the least when anything was to be given them. They allowed two Welsh sees to be greatly augmented; they allowed advantages to be conferred on Wales under the proceedings of this Commission, the result of which was a balance in favour of that country of not less than 2,000*l.* a year; and it was a most odd coincidence that they first brought forward this question at the very time when the Principality had received the maximum of all it could receive, and the minimum of all it could give. He would not trouble their Lordships with figures, but would content himself with assuring their Lordships that if the whole recommendations of the Commission under the Act were carried out, the balance in favour of Wales ultimately would be 500*l.* a year. He trusted he had disposed of the case of the Principality of Wales; but he disclaimed putting the question on that ground; he protested against that Principality being considered on separate grounds, and as not subject to any general scheme of improvement applicable to the rest of the empire, recommended after the best consideration by the prelates of the Church for the whole United Kingdom."

Such being the opinion of the representative of Her Majesty's Government in the House of Lords last year, he confessed he was at a loss to know how the noble Lord the Member for the city of London could answer now the objections made then by the Marquess of Lansdowne.

MR. J. COLLETT considered it to be an act of dishonesty—["Order, order!"] —well, then, an act of impropriety, to bring in an Act of Parliament to repeal one part of an Act, and not repeal it altogether.

Committee divided on the question, that the words proposed to be left out stand part of the Question:—Ayes 86 : Noes 14; Majority 72.

List of the AYES.

Acheson, Visct.
Adderley, C. B.
Anson, hon. Col.
Baring, rt. hon. W. B.
Bennet, P.
Bentinck, Lord G.
Blackburne, J. I.
Blackstone, W. S.
Blakemore, R.
Borthwick, P.
Bowles, Adm.
Bramston, T. W.
Brown, W.
Buller, C.
Cholmondeley, hon. H.
Clerk, rt. hon. Sir G.
Clive, Visct.
Colville, C. R.
Craig, W. G.
Cripps, W.
Denison, J. E.
Dickinson, F. H.
Duncombe, hon. O.
Dundas, Adm.
Dundas, Sir D.
East, Sir J. P.
Etwall, R.
Forester, hon. G. C. W.
Frewen, C. H.
Gaskell, J. M.

Goulburn, rt. hon. H.
Graham, rt. hon. Sir J.
Grey, rt. hon. Sir H.
Grogan, E.
Hallyburton, Lord J. F.
Hamilton, G. A.
Hatton, Capt. V.
Hawes, B.
Heathcote, G. J.
Henley, J. W.
Hildyard, T. B. T.
Hope, A.
Howard, hon. H.
Jermyn, Earl
Jervis, Sir J.
Kemble, H.
Lascelles, hon. W. S.
Law, hon. C. E.
Lefroy, A.
Lowther, hon. Col.
Macaulay, rt. hn. T. B.
Mainwaring, T.
Maule, rt. hon. F.
Milnes, R. M.
Morpeth, Visct.
Morris, D.
Neville, R.
Newdegate, C. N.
Nicholl, rt. hon. J.
O'Brien, A. S.
Parker, J.
Pennant, hon. Col.
Philipps, Sir R. B. P.
Polhill, F.
Price, Sir R.
Pryse, P.
Richards, R.
Round, C. G.
Russell, Lord J.
Rutherfurd, A.
Seymer, H. K.
Sheridan, R. B.
Somerville, Sir W. M.
Spooner, R.
Stuart, J.
Troubridge, Sir E. T.
Turner, E.
Tyrell, Sir J. T.
Vyse, H.
Walker, R.
Walpole, S. H.
Ward, H. G.
Wood, rt hon. Sir C.
Wood, Col. T.
Wortley, hon. J. S.
Wynn, rt. hon. C. W. W.

TELLERS.
Tufnell, H.
Rich, H.

List of the NOES.

Aglionby, H. A.
Collett, J.
Curry, R.
D'Eyncourt, rt. hn. C.
Escott, B.
Ewart. W.
Hume, J.
M'Taggart, Sir J.
Molesworth, Sir W.
Osborne, B.
Roebuck, J. A.
Thornely, T.
Wakley, T.
Williams, W.

TELLERS.
Philips, M.
Horsman, E.

MR. V. SMITH moved an Amendment to omit from the preamble in page 4, line 2, the words, "as soon as conveniently may be three other additional bishopries." The effect of this Amendment would be to withdraw from the Bill a pledge that three other bishoprics should be hereafter created. He thought it most unfair to bind the House one way or another upon this subject. The House should hesitate before they appointed additional bishops. They should first ascertain what were the duties of those bishops, and whether they really exercised that control over the clergy which was considered so desirable. He knew of a diocese where the greatest scandals occurred, and where the power of the bishop was inadequate to prevent or restrain them. In one instance, notwithstanding all the efforts of the bishop, a clergyman continued to live in a state of debauchery in Paris, and yet drew his salary regularly. It was important, therefore, before the number of bishops was increased, that inquiry should be made, and means adopted, that would ensure the performance of those episcopal functions which were said to be of so much importance. He did not wish to denounce this Bill in the terms in which the hon. Member for Finsbury did; he did not know that it was a job merely; he did not know the reasons which had influenced the Government in bringing it forward. He would, however, venture to say that it had been drawn up in accordance with the recommendation of a fluctuating body of persons—he of course meant the Ecclesiastical Commissioners, A case came before a part of them one day, which was decided the next by others who had never taken part in their proceedings. There was no permanent attendance required on the part of the Commissioners. The Judges of the land were placed upon the Commission; and it might well be supposed that they had never once attended the sittings of the Commission. Indeed, the whole business of the Commission was conducted by a few who were entirely unaware of the method necessary for managing the busisiness which had been entrusted to them. It appeared that the only parties who really did attend the sittings of the Commission were the Archbishop of Canterbury, the Bishop of London, and latterly the Bishop of St. Asaph. He contended that the composition of the Commission was such as to render its efficient working a matter of utter impossibility. They appointed forty-nine members, but they left their attendance optional; they held out no inducement to them to attend; and the result was that the drawing up of the reports and the whole of the routine business was left in the hands of the Secretary, of whose conduct, however, he did not by any means complain. The Secretary had merely discharged his duty. They were called upon to pass this Bill, because it was drawn up in accordance with the recommendation of these Commissioners, whose conduct the Legislature had already condemned. Much had been said about the Episcopal fund and the Common fund. The noble Lord at the head of the Government had confessed that he would not object to the fusion of those two funds. Well, then, he should have been very glad if the noble Lord had introduced into this Bill a clause sanctioning the fusion of the two funds. Such a clause would have been a most advantageous one, and most probably would have expedited the progress of the Bill through the House. But how stood the case with regard to this fusion of the Episcopal and Common funds? The Bishop of London, in his evidence, had told them that he believed there never had been any notion of such fusion. He (Mr. V. Smith) did not think that the creation of new bishoprics was the best way to provide for the spiritual wants of the people. What said the Bishop of London as to the spiritual destitution of the people? Did he say that, latterly, that destitution had diminished? Did he say that the efforts which had been made a few years ago to provide for the spiritual wants of the people, by the suppression of certain prebendaries and episcopal revenues had proved successful? No; on the other hand, the Bishop of London said that the spiritual destitution of the people had gone on increasing. Then, from the Bishop's own mouth, he contended they ought to endeavour to relieve the spiritual wants of the people, not by the creation of new bishoprics, but by the creation of new churches, and the appointment of new parochial clergy. In answer to questions which he put to the Bishop of London, his Lordship said, that notwithstanding all the efforts which had been made within the last ten years in his diocese, there were only fifty-four churches built over which he had any control: that the average congregation of each of those churches consisted of 1,000 souls, making, in the whole, 54,000: that during the last ten years the population had increased 32,000 per annum, making, in the whole, 320,000. But if that was the amount of spiritual destitution in London alone, he would ask the House whether the most effective means to remedy the evil would be to create three additional bishoprics? The only ground for appointing three additional bishoprics appeared to him to be the fact that the Episcopal fund could not be transferred to any other. If that was settled by Act of Parliament, why *cadit quæstio.* But was the House actually prepared to let that question be settled by the Commissioners? The Bishop of St. Asaph had recommended the appointment of more bishops, on the ground that a bishop was enabled to raise larger amounts of subscription for Church purposes than an ecclesiastic in an inferior rank. But were they to have a bishop going about his diocese with a begging box continually in his hand? If that was to be the practice, he did not think that Church interests would be much advanced by it, whilst such a system would entail great inconvenience on the Bishop himself. The arguments against the creation of any new bishopric had been repeated so often, that he would content himself by saying, that in his opinion the House would pledge itself to the appointment of three new bishops, if they agreed to the words in the preamble which he had proposed should be omitted. He thought, too, that the forms and customs of the House had, in this instance, been directly infringed by the noble Lord's refusal to postpone the consideration of the preamble. He knew of no instance on record in which a similar course had been pursued. Every question that had been already debated on the preamble, might be redebated on the clauses of the Bill. He therefore deeply deplored that the noble Lord followed the advice of the right hon. Member for Dorchester (Sir J. Graham) on that point.

Viscount CLIVE would not detain the Committee by arguing whether the words should be in or out of the Bill; all he would observe was, that the Commissioners did not recommend them. Whether these words only, or even the whole preamble, were struck out, appeared to him to be a matter of indifference.

Lord J. RUSSELL: The reason for inserting these words in the preamble are of two kinds. One is, that which my hon. and learned Friend the Solicitor General stated the other evening, that it was more fair and open to state at once what the views of the Government were in appointing this Commission, otherwise persons might have objected, whether truly or not, that we were endeavouring to conceal our purpose and our intention that three new bishops were considered desirable. The fact of its having been our intention to appoint more bishops, was the very reason why we proposed the insertion of the words limiting the number to three, because we should not then have an Act of Parliament worded in such a manner as to authorize an increase beyond that number. The words in the preamble express an intention to found three other bishoprics; but there are no words in the enacting clause founding any such bishoprics. If, therefore, these words in the preamble are considered in any way to pledge any future Parliament on this subject, but which they are not intended to do, I certainly think they might as well be omitted. I think, besides, that after the very long discussion we have had, it would be well to restrict ourselves as much as possible to the consideration of the clauses, without entering into any discursive topics. Having agreed to the proposal of my right hon. Friend, and having fairly stated what was the object of the Government in inserting these words, and not wishing to pledge any future Parliament on the subject, I am ready to consent that the following words be omitted:—

> "And also, so soon as conveniently might be, three other additional bishoprics, regard being had to the circumstance that Her Majesty did not contemplate the issue of her writ to the new bishops to sit and vote as Peers of Parliament, except as vacancies should from time to time occur amongst the bishops of England and Wales, now so sitting and voting."

Sir R. H. INGLIS suggested, that as the noble Lord had made this concession, it would be necessary to make an alteration in the second clause, which enacted that no new bishops should be summoned to Parliament. This ought to be left to the discretion of a future Parliament also.

Mr. AGLIONBY had no doubt that the concession of the noble Lord would give much satisfaction to the House and the country. He believed that if the words had been retained, the House would have pledged itself to the creation of three additional bishoprics in a future Session of Parliament. He wished to ask the noble Lord whether he would pledge himself not to bring in any measure, in any future Session for the creation of more bishoprics?—or, if he did so, would he pledge himself that the number should not exceed three? He concurred in what had been said against the constitution of the Ecclesiastical Commission. In the first instance the Commission consisted of eight laymen, and five clergymen; at present, however, the clergy had a majority, for the numbers were twenty-nine clergymen, and twenty laymen. The whole of the business of the Commission was now settled by the Secretary and an attorney.

Mr. WILLIAMS WYNN expressed his obligations to the noble Lord for his compliance with the Motion of the right hon. Member for Northampton, but could not help protesting against the departure from the form and practice of the House introduced in the case of this Bill. The reason for the postponement of the preamble in all cases was, that the House could not determine what its form should be until they had considered the clauses of the Bill; and he considered that reason should hold good in the despatch of all Bills which might be brought before them.

Sir J. GRAHAM said, he was sincerely glad that the noble Lord had considered it proper to make this concession in the preamble of the Bill. He must state that he had made the suggestion not to postpone the preamble, which was a very unusual course, with some hesitation; and he needed not to assure the noble Lord and the House that he had done so with the best intentions to expedite the despatch of public business. Since he sat in the House, he had never known an instance of the preamble not being postponed but once; and that was in a very peculiar case, where a Bill was introduced by the right hon. Member for Cambridge, proposing that capital punishments should be abrogated in various statutes which enacted that such punishment should be inflicted for the several offences therein recited, and when it was absolutely necessary that the preamble should be first considered. He had believed that great convenience would be found in adopting the same course in this Bill; but he was bound to say, after his experience of Friday evening, he doubted whether it were not wise to adhere, in all cases, to the practice of the House; and he saw clearly the convenience of postponing the preamble till the clauses had been agreed to. Every person taking different views of this Bill, sought to shape the preamble so as to give effect to his own particular opinions. He believed it would have been more convenient, therefore, if the ordinary course had been pursued; and he hoped now that the noble Lord had made the concession, that all objections would now be removed from the passing of the preamble. He could easily conceive, however, why the words proposed to be left out by the right hon. Member (Mr. Smith) had been introduced, because, if any one looked to the effect of the second clause, he would find there a special provision—

> "That the number of Lords Spiritual now sitting and voting as Lords of Parliament shall not be increased by the creation of the above-named (four) new bishopric (s); and whenever there shall be a vacancy among the Lords Spiritual by the avoidance of any one of the sees of Canterbury, York, London, Durham, or Winchester, or of any other see which shall be filled by the translation thereto from any other see of a bishop at that time actually sitting as a Lord of Parliament, such vacancy shall be supplied by the issue of a writ of summons to the bishop who shall be elected to the same see"—

directly referring to the passage now omitted. He had strong objections to deprive any bishop of the right of sitting in the House, and would resist that clause.

Mr. S. WORTLEY rejoiced exceedingly that the noble Lord had made this concession, as it would save him the necessity of moving the Amendments of which he had given notice.

Lord J. RUSSELL said, he meant to retain the second clause as it would stand after the omission, having reference to the wording of the preamble with respect to the bishopric of Manchester, and leaving out the first words of the clause.

Mr. HORSMAN thought that all sides were agreed in approving of the reasons which induced the noble Lord to leave out the passages in the preamble, and the clause, in compliance with the Motion of the right hon. Member for Northampton. He considered that much of the difficulty which had been thrown in the way of the Bill arose from the fact that Government had not laid before Parliament the reasons which induced them to come to the conclusions on which the Bill was based. When the hon. Member for Montrose asked for evidence, he received no answer; and such a course could not be properly pursued in cases of such importance.

Mr. HENLEY was extremely glad the noble Lord had withdrawn the words from the preamble and the clause. He had, however, some doubts, notwithstanding the high authority of the right hon. Baronet (Sir J. Graham), that the preamble had not been discussed at the most convenient time, as the substance of this Bill would not be carried into effect by the enactments of the Bill, but by Orders in Council and other means.

Preamble as amended agreed to.

On the 1st Clause (repeal of repugnant enactments),

Mr. AGLIONBY objected to it, because nobody knew what it meant; and he called upon hon. Members opposite to reject this part of the clause upon the grounds advocated by two hon. Members whom he regretted not to see in their places—he meant the noble Lord the Member for Lynn, and the right hon. the Lord Mayor of York, who strongly opposed the Health of Towns Bill, because reference to other Acts of Parliament were introduced into it. He also called upon the hon. and learned Member for Newark (Mr. Stuart) to oppose it, because he had heard him urge upon the House that the Health of Towns Bill should be withdrawn mainly upon this ground; and that Bill was accordingly withdrawn. He objected also to the great powers proposed to be vested in the Commissioners.

The SOLICITOR GENERAL quoted the 10th and 12th Clauses of the 6th and 7th William IV., c. 77, to show that the powers conveyed thence to the present Bill were perfectly intelligible, and that a reference to them was all that was necessary. To have repeated these and other long clauses in the present Bill, would only have been to entangle what was perfectly plain as it stood.

Mr. STUART said, that he had objected to the references introduced into the Health of Towns Bill to other Bills, as being unintelligible. He would not say that the present Bill was a model of intelligibility; but he thought it reasonably intelligible, and therefore he saw no ground for repeating the objection he had made to the Health of Towns Bill.

The Committee divided on the question, that the Clause as amended stand part of the Bill:—Ayes 128; Noes 25: Majority 103.

List of the Ayes.

Acland, Sir T. D.
Adderley, C. B.
Antrobus, E.
Austen, Col.
Baine, W.
Bannerman, A.
Bateson, T.
Bennet, P.
Bentinck, Lord G.
Bentinck, Lord H.
Berkeley, hon. Capt.
Bernal, R.
Blackburne, J. I.
Borthwick, P.
Bowles, Adm.
Broadley, H.
Buller, C.
Carew, W. H. P.
Chaplin, W. J.
Cholmondeley, hon. H.
Clerk, rt. hon. Sir G.
Clive, Visct.
Codrington, Sir W.
Colebrooke, Sir T. E.
Craig, W. G.
Cripps, W.
Dalmeny, Lord
Deedes, W.
Denison, J. E.
Dick, Q.
Dickinson, F. H.
Duckworth, Sir J. T. B.
Dundas, Adm.
Dundas, Sir D.
Du Pre, C. G.
East, Sir J. B.
Easthope, Sir J.
Egerton, W. T.
Ellice, rt. hon. E.
Evans, Sir De L.
Ferguson, Sir R. A.
Fitzmaurice, hon. W.
Frewen, C. H.
Fuller, A. E.
Gore, M.
Goulburn, rt. hon. H.
Graham, rt hon. Sir J.
Grey, rt. hon. Sir G.
Grogan, E.
Grosvenor, Lord R.
Halford, Sir H.
Hallyburton, Lord J. F.
Halsey, T. P.
Hamilton, J. H.
Hamilton, G. A.
Hamilton, Lord C.
Hatton, Capt. V.
Hawes, B.
Henley, J. W.
Herbert, rt. hon. S.
Hildyard, T. B. T.
Hill, Lord E.
Hobhouse, rt. hon. Sir J.
Hope, A.
Howard, hon H.
Inglis, Sir R. H.
Jervis, Sir J.
Kemble, H.
Labouchere, rt. hon. H.
Langston, J. H.
Law, hon. C. E.
Lefroy, A.
Legh, G. C.
Le Marchant, Sir D.
Lemon, Sir C.
Liddell, hon. H. T.
Lowther, hon. Col.
Macaulay, rt. hon. T. B.
Mainwaring, T.
Manners, Lord C. S.
Maule, rt. hon. F.
Meynell, Capt.
Miles, P. W. S.
Morpeth, Visct.
Morris, D.
Mundy, E. M.

Neeld, J.
Neville, R.
Newdegate, C. N.
Nicholl, rt. hon. J.
Norreys, Lord
Norreys, Sir D. J.
O'Brien, A. S.
Ossulston, Lord
Palmerston, Visct.
Parker, J.
Patten, J. W.
Philipps, Sir R. B. P.
Plumridge, Capt.
Price, Sir R.
Protheroe, E. D.
Reid, Col.
Rendlesham, Lord
Rich, H.
Richards, R.
Round, C. G.
Russell, Lord J.
Russell, Lord C. J. F.
Russell, J. D. W.
Rutherfurd, A.
Seymour, Lord
Sheridan, R. B.
Smith, rt. hon. R. V.
Somerset, Lord G.
Somerville, Sir W. M.
Spooner, R.
Stuart, J.
Strutt, rt. hon. E.
Tollemache, J.
Towneley, J.
Tyrell, Sir J. T.
Vivian, J. E.
Vyse, H.
Walpole, S. H.
Ward, H. G.
Wood, rt. hon. Sir C.
Wortley, hon. J. S.
Wynn, rt. hon. C. W. W.

TELLERS.
Tufnell, H.
Hill, Lord M.

List of the NOES.

Aglionby, H. A.
Brotherton, J.
Clay, Sir W.
Clements, Visct.
Currie, R.
D'Eyncourt, rt. hn. C. T.
Duncan, G.
Duncombe, T.
Escott. B.
Etwall, R.
Ewart, W.
Forster, M.
Hindley, C.
Horsman, E.
Humphery, Ald.
Molesworth, Sir W.
Pattison, J.
Pechell, Capt.
Philips, M.
Pryse, P.
Ricardo, J. L.
Roebuck, J. A.
Thornely, T.
Trelawny, J. S.
Wakley, T.

TELLERS.
Hume, J.
Collett, J.

Clause agreed to.

On Clause 2 (number of Lords Spiritual not to be increased) being put,

MR. S. WORTLEY rose to move the Amendment of which he had given notice. The noble Lord, by consenting to omit those words from the preamble which had reference to the creation of three additional bishoprics, showed that he perceived that his real difficulty did not consist in the proposal to create the bishopric of Manchester, with all the rights and dignities properly attached to the see. He (Mr. S. Wortley) had on a former occasion quoted the opinion of Selden. That opinion was supported by the *dictum* of Lord Hale, who said that the right to sit in the House of Lords was a privilege annexed by usage to the episcopal dignity, and attached not to the bishop personally, but to the corporation which he represented. If that opinion was correct, what was the operation of this Bill? It limited, in the first place, the prerogative of the Crown to issue a writ of summons immediately on the creation of a new bishopric, and the nomination of the bishop. Secondly, it deprived the chapter, clergy, and laity of the diocese of their right to be represented in the House of Lords. He could not see what difference there was between depriving a bishop of his right to sit in the House of Lords, and depriving an Earl or a Baron of the like right, if created. When Henry VIII. created six new bishops, writs were immediately issued calling them up to Parliament. It was of no use to cite the Bishopric of Sodor and Man as an exception, or as a precedent, in favour of this measure, because the Bishop of Sodor and Man had rights of a different order. He was a baron of the island, a member of the Council, and one of the principal legislators of the Isle of Man. The only other apparent precedent was the case of the Irish bishops; but the exclusion of some of them from Parliament was anything but a warrant for this measure. That exclusion was consequent upon the arrangements at the Union, when it was impossible to admit them all; but they were dealt with exactly upon the same footing as the temporal Peers of Ireland. As to the particular case before the House, to deprive the Bishop of Manchester of this his dignity, would be to depart from the solemn arrangement made in 1836, and sanctioned by that House. The 6th and 7th William IV. recited the recommendations of the Ecclesiastical Commissioners, one of these being that two new sees be erected (Ripon and Manchester), and that the new bishops be invested with the same rights and privileges as the existing bishops, and that there should be deans and chapters with all the privileges belonging to those bodies; and the Act recited that it was expedient that these recommendations be carried into effect as soon as convenient. The only ground on which it was proposed to the House to depart from the Parliamentary arrangements of 1836, was the authority of the Bishoprics' Commission issued in 1847 (or, in other words, the authority of the Ministry of the day), directing Commissioners to devise and suggest the most convenient boundaries of the dioceses, the incomes, &c.

> —"regard being had to the circumstance that we do not contemplate the issuing of our writ to such new bishops to sit and vote as Peers of Parliament, except as vacancies shall occur," &c.

Such was the only ground laid for this unconstitutional step, and invasion of the rights both of the laity and clergy; for, *ex debito justitiæ*, a bishop was entitled to sue out his writ of summons as of mere right. The report of the Commissioners so appointed, in April, 1847, contained no recommendation of this sort, but simply "that the new Bishopric of Manchester be forthwith founded." The noble Lord (Lord J. Russell) had intimated that he valued the words in the preamble of the present Bill referring to the creation of three additional bishoprics, principally because they indicated the ground on which these new bishops were not to be called to the House of Lords; and, unless common rumour greatly belied the noble Lord, there was a time when he contemplated that only this bishop should be created, and intended that he should be invested with all the rights and privileges of a bishop. The noble Lord would have received the same support from that (the Opposition) side of the House, if he had adhered to that intention; and even now, with the great disposition there was to give a bishop to Manchester, the House would be as willing to assent to the appointment of a bishop with all his rights, as of one shorn of this dignity. Was it worth while thus to set what must become something like a precedent, and which was treated by the newspapers—the organs of different parties in that House—as a precedent for eventually removing all the bishops from Parliament? There were those in the House who looked upon this as a most valuable precedent, on which at a future time to found such a measure. Let the noble Lord consider, even now, whether it was worth while to depart so far from the usual track of the Constitution, and whether it would not be better boldly to say—"There is this necessity for creating a bishop—to have the supervision of the clergy, stimulate their exertions, and see that they do justice to the laity in that great district of which Manchester is the capital (not for the town of Manchester alone, which, through that accident occasionally obtained such undue prominence in this debate); and there is no reason for not investing him with all the dignities of his brethren on the bench." For his part, he, as one of the community, shared the feelings of those who, in the language of Burke, were proud to see exalted to the episcopal dignity men who began their lives in the humblest walks of life, had been numbered among the working clergy, and had won their way, by piety and learning alone, to a seat beside the noblest Peers in the land. He believed it was for the advantage of the community that the bishops should mingle and act with statesmen, and by holding a seat in the House of Lords, be placed in a position where they might be called to account for their actions, and the mode in which they discharged their duty in their dioceses: it formed an essential check on any disposition to harshness or tyranny. In former times, when ecclesiastics met in synods and provincial councils, they were disposed to wield the law oppressively towards the laity; but, since they had been incorporated in the councils of the nation, moderation had taken the place of vehemence, and there had been no reason to complain of any disposition to harshness or oppression. It was impossible to doubt that their seats in the House of Lords gave the bishops weight with the religious community. He believed that the prelate who mingled with the highest in the nation, and took part in the proceedings of the Legislature, if he acted with the dignity and manner that became his office, went to his diocese with more influence, and met his clergy with greater power of doing good and stimulating them to exertion, than if he were a mere country bishop, little known, mixing little with the world, and perhaps but little acquainted with the motives by which men are actuated. Even if it were expedient to deprive the new bishop of his seat, it was unjust to do so by the system of rotation. On this point he would make but one remark, on an objection stated by the noble Lord to the new bishop having a seat in the House of Peers. The noble Lord stated it was a great inconvenience for the junior bishop to have to remain in London the whole of the Session, in order to act as chaplain to the House of Lords. Surely this inconvenience might be easily remedied. The Peers had Westminster Abbey, which was considered their chapel, close to them, and he thought they could easily find a chaplain. If that was the only objection, it really amounted to nothing. But the constitutional question involved in this clause was of great importance; and he was so convinced of its importance, that he should conclude by moving that the clause be struck out of the Bill.

The ATTORNEY GENERAL admitted there would be much force in the arguments of the right hon. Gentleman, if the proposition before the Committee were entirely to exclude the bishop from a seat in Parliament. But he was at a loss to conceive how the operation of the clause as it stood could prevent men of piety and learning working their way up to that high position. The object of the clause was not to exclude the bishops from the House of Lords, but to prevent the increase of the number sitting there, and to carry out what was a part of the compact of 1836, but modified by change in the circumstances of the case. If they were now to consider whether the proposition contained in the clause was or was not calculated to benefit the Church, he apprehended it would be sufficient to state that the prelates who were members of the Commission had given their ready assent to the measure. But the right hon. Gentleman said there were certain legal and formal objections to the course proposed; and, without stopping to consider the question of its effect as regarded the Church, he would endeavour to meet the argument against its legality, and he hoped he should be able to prove to the Committee that there was no constitutional ground for refusing assent to the clause—that it involved no interference with the prerogative of the Crown. The right hon. Gentleman said, that in the enactment of 1836, it was provided the Bishop of Manchester should have all the dignity and privileges held by the suppressed sees. He conceded that point; but that arrangement was made on the supposition that the number of the bishops was not to be increased. It was in effect that for the two new bishops to be created, two old sees were to be suppressed; that on the union of the sees of Gloucester and Bristol, the bishopric of Ripon should be created; and on the union of St. Asaph and Bangor, the foundation of the see of Manchester should take effect. But since that arrangement was made, circumstances had changed; it was no longer an understanding that the number of the bishops was not to be increased. The right hon. Gentleman contended that if the bishops did not now sit in the House of Lords in right of their baronies, they had their seats by custom and prescription. But it was a question on which antiquarian lawyers greatly differed; Coke gave one opinion on it, Selden another, and both were qualified by Hale; the whole of these opinions were collected and given by Hargreave in his *Coke upon Littleton*, where the right hon. Gentleman would find all the authorities. The history of the right of bishops to sit in the House of Lords was this: in the time of the Saxons, the bishops held their lands by the spiritual tenure of "free alms," and had no territorial rights, were bound by no feudal service, and were not obliged to attend in the senate of the nation. But after the Conquest, William I. made the bishoprics feudal tenures, held by the bishops *in capite*, or by knights' service, and they were obliged to attend the Parliament in discharge of the services due from their baronies; in that character they sat with the Peers; but this was only under the older institutions of the order. A bishop to be created could have no customary or prescriptive rights, except those given by Parliament, like the bishops created by Henry VIII. under the Act passed in the 31st year of his reign. By that Act the bishops so created were to have the same privileges and dignities as those before existing; but it was because the statute authorized their creation, and gave the King power to invest thom with the same privileges as the bishops that preceded them. If they turned to the patent of the Bishop of Westminster (in Burnett's collection), they would see that that bishop, and several others, were created with the same dignity and immunities as the Bishop of London, the King recognising their authority, and conferring the privilege of sitting in the House of Lords by the patent; the bishopric of London, to which they were made equal, existed at the time of the Conquest, and had its seat by the baronial tenure. It was a mistake to suppose the bishops sat in the House of Lords by custom; they sat by virtue of the patent by which they were created. But was there any ground at present why a new bishop should have the same privilege? The right hon. Gentleman said, the clause suspending the right to a seat in the Lords trenched on the prerogative of the Crown. In what respect? The Crown could not create a bishop; the Crown had no power to give one a seat in the House of Lords; it was given by the Act that created him; and the same Act might, without injury to the power of the Crown, disentitle the bishop to his seat; it could not trench on the prerogative of the Crown to say the bishop should have no seat. The right hon. Gentleman said there was no authority for such a proceeding; what was the case with the Irish bishops? They all had the right of sitting in the Irish House of Peers; but now they sat in the Imperial Parliament by rotation. ["No, no!"] It was not precisely the same in effect, but it was the same in principle. There could be no question of the right of the House to pass this clause; it could not be said that there was a constitutional objection to it; nor was it against the wish of the Church, for the prelates were consenting parties to it. It did not affect the Royal prerogative. The question was simply, whether it was for the convenience of the House and the good of the community, that the proposition should be adopted. In considering this question, though it was perfectly true that a part of the recital had been expunged from the preamble, the House must not lose sight of the object of the noble Lord at the head of the Government. That object had been fairly and candidly stated on the face of the Bill as extending, not merely to the creation of one bishop, but ultimately to the creation of four bishops; and under these circumstances he (the Attorney General) thought it would be impolitic, and likely to shake the confidence of the country in the Establishment, which the present Bill was intended to aid, if they were to give larger political power to the bishops in the House of Lords. For these reasons he opposed the Motion of the hon. and learned Gentleman.

MR. LAW thought that the speech of the hon. and learned Gentleman (Mr. S. Wortley) had not been answered by the Attorney General. He offered his humble acknowledgments to the noble Lord at the head of the Government for the extreme liberality and exquisite temper with which he had conducted this important Bill through the House up to the present moment. Nothing could be more manly and straightforward than the course pursued by the noble Lord; and he was quite sure that the noble Lord's object in introducing this measure was equally to advance the interests of the Church and of the nation at large. He was, however, afraid, that the noble Lord would be disappointed in reference to this noble object, if he did not acquiesce in the proposition that the same dignity attaching to the existing bishoprics should be extended to that now proposed to be forthwith created. The terms of the clause to which he more immediately objected were the following:—

> "But if such vacancy be caused by avoidance of any other see in England or Wales, such vacancy shall be supplied by the issue of a writ of summons to that bishop of a see in England or Wales who first did homage for his see, or for any other see in England or Wales of those who have not previously become entitled to such writ; and no bishop who shall be hereafter elected to any see in England or Wales, not being one of the five sees abovenamed, shall be entitled to have a writ of summons, unless in the order and according to the conditions above described."

The hon. and learned Attorney General said, that the object of the Bill was not to exclude the bishops entirely from the House of Lords, but to prevent the increase of their numbers there. Now, laying aside the argument as to the right by which the bishops sat in the House of Lords, he asked the House to look at the effect of this clause. It deprived, in succession, every bishop not coming within the exceptions stated, of the right to sit in the House of Lords, which had been enjoyed by his predecessors for centuries. Therefore, for the creation of one individual bishop, who, it was proposed, should not immediately sit in Parliament, they were called on to sanction the principle that every one of the dioceses not comprised in the mentioned exceptions, should, in rotation, be divested of its ancient representation in Parliament. He thought that the noble Lord, on reflection, would be of opinion that these hard terms, imposed on account of one creation, were such as ought not to accompany what would otherwise be a graceful gift and national benefit. It had been said, that the present bishops did not object to the proposed arrangement; but he thought the circumstance that they were not themselves to be personally excluded from the enjoyment of the Peerage, did not operate as any commendation of their opinion on this point. With respect to the prerogative of the Crown, he viewed with great jealousy any enactment which should qualify the rights of the Crown as to creation to the Peerage; and it was undoubtedly at present the prerogative of the Crown to communicate the capacity of sitting in the House of Lords to any bishop newly created. He repeated that he strongly objected to the clause, on the ground that it not only excluded from Parliament the bishop to be originally created, but also on account of the more dangerous principle which it embodied, of excluding from Parliament every bishop in succession not mentioned in the exceptions. The only constitutional reason why clergymen were excluded from the House of Commons was, because they were fairly and properly represented in the House of Peers; and he therefore entreated the noble Lord at the head of the Government, who had done so much to entitle himself to the gratitude of every friend of the Church of England, to have the courage to make one step further in advance, and not to bestow a niggardly gift, but one suited to his own exalted mind, to the interests of the Church and of the country, and to the honour of the Crown and the empire. As the noble Lord had promised the House to introduce additional bishops, according to the wants of the population, he hoped he would feel at liberty to concede this one single point, and to introduce the new bishop into the House of Lords. By so doing, the noble Lord would not mar a measure which would consecrate his name. He thanked the noble Lord for such an endeavour, and one made in a right direction.

VISCOUNT CLIVE considered the question they had to decide was, whether they were to have one bishop in the House of Lords, or go with the Government, and have four bishops hereafter out of the House of Lords. As he valued four bishops more than one, and as he was anxious to increase their number, and not finally to limit them, he asked every hon. Member who looked to the interests of the Church to support this Bill—to support the Government in this clause, and not to do anything which would give them only one bishop instead of four.

MR. NEWDEGATE would not dwell upon the dangerous precedent which this Bill would create as to the system of rotation with regard to the episcopal seats in the House of Lords. He thought there was danger in the clause to the objects which the noble Lord had at heart; and that making the bishops unequal in their privileges was not likely to produce that unity of action which was desirable. It appeared to him, that one of the most valuable circumstances connected with the bishops being in the House of Lords was, that it made them responsible; and therefore he thought the exclusion of the Bishop of Manchester unwise and injurious. He would ask the noble Lord, too, whether it was in conformity with the spirit of his legislation with respect to every department of the State? Had not the noble Lord proposed that one of the Poor Law Commissioners should be a Member of that House, because it was said that the great powers given to the Commissioners, without the check of being in Parliament, had led to abuses? He feared that inconsistencies and abuse might creep into those dioceses which were unguarded by their heads being out of Parliament, similar to those which had occurred in the administration of the Poor Laws. He had heard some of those hon. Members oppose the introduction of new bishops into the House of Lords on grounds which led him to suppose they thought the Church inclined to become arbitrary and oppressive; but he would remind them that being responsible for their actions in the House of Lords would prove a due check. He concluded by expressing a hope, for the sake of insuring uniformity of practice, that a majority of the House would decide against any change in the constitutional practice of ages.

LORD J. RUSSELL: I will detain the Committee a very few minutes on this clause. I don't pretend that we had the authority or the recommendation of the Commission on the subject. The intention of the Crown, as advised by the constitutional Ministers of the Crown, was communicated first to the bishops in general, and afterwards to the Commission; and they did not consider it incumbent upon them to give any recommendation upon that subject. But at the same time it must be recollected, that this Bill has been in the House of Lords, where the bishops have seats, having been placed there to represent the Church, and, as an hon. Gentleman has said, to defend the interests of the Church. They could there have stated any objections that were entertained to the measure, which, in the opinion of some persons, seems to portend great danger to the Church; but in the House of Lords they do not seem to have raised any objection to the measure, and it passed that House with the general consent, I believe, of the bench of bishops. I cannot agree in opinion with the hon. and learned Gentleman who commenced this discussion. He states that, according to the constitution and according to law, if an Act of Parliament gives the Crown the power of creating a new bishop, that then, *ex debito justitiæ*, he will have the right to a writ to sit in the House of Lords. Undoubtedly that is the case. No man disputes it for a moment; but it does not follow if Parliament creates the new bishop, and if Parliament gives the right to the Crown to appoint to a new bishopric, that there may not be attached by Parliament the condition, that instead of a writ being sent to that bishop, that bishop should not have a writ to sit in Parliament; and the Crown would be bound one way as well as the other; for if the Crown were bound, *ex debito justitiæ*, to send a writ to that bishop, there is an end of all discretion in the choice of the Crown; so I don't see that the prerogative is affected by this decision of Parliament. But the hon. Gentleman the Member for the University of Cambridge raises another objection, and says, this is a provision which does not merely affect the new bishopric to be created, but is a provision crippling the rights of all the ancient bishops of England, who for hundreds of years have enjoyed the privilege of seats in the House of Lords. That likewise I must admit to be the case; but the question is, whether a provision of this kind is expedient, or is not, for the general benefit of the Church and of the country? It appears to me, that with respect to that question, the noble Lord the Member for Shropshire, in the course of his argument, has laid down the true policy to pursue. I believe that you ought to be at liberty, if the interests of the Church require it, to increase the number of bishops; but I believe also if you entangle that question with the addition of political power, and if you cannot make the increase in the number of bishops which for spiritual purposes may be required, without adding to the temporal weight of those who represent the Church in the other House of Parliament, then you may naturally and justly raise objections to any scheme of the kind; for the great body of Christians who dissent from the Church of England, both in this country and in Scotland, may, I think, justly say—" With respect to your arrangements to advance the spiritual welfare of the Church, we can have no objection; but if you tell us that in one of your Houses of Parliament, where all the laws affecting the great body of the people are to be passed—where every law that affects the Church of Scotland and that affects the Dissenters of England is to be passed—if you tell us that the representatives of the Church of England are to have an increased weight, then we can no longer listen to your reasons of spiritual deficiency, but consider that it is a temporal preponderance which you are endeavouring to get; and that the scheme must be opposed, not because it is intended to strengthen the Church of England as a Church, but in consequence of the temporal advantage it would give to one body of Christians over all those who dissent from them." I think that would be a fair argument. I agree with those who say there ought to be an increase in the number of bishops, contending, as has been frequently contended within the last few days, that the Church of England should have the same power of organization as any other body connected or unconnected with the State; but with regard to the question of temporal power, we can hardly in fairness and justice increase the number to any considerable extent, if those bishops are to be in the House of Lords. Suppose we agree that the number of bishops should be the number that now sit in the House of Lords, and that we should require a bishop to be created for Manchester, and bishops afterwards to be created for some other places, subdivisions of various other dioceses; let us see what would be the effect of taking another course. The hon. and learned Gentleman the Member for the University of Cambridge has said that all who hold ancient dioceses, and represent those ancient bishoprics, should sit in the House of Lords, and that the others should be deprived of the privilege; but I should consider that an unfortunate arrangement: it would be at once making two classes and kinds of bishops in the country. You would be exposed to the danger, that the bishop who was placed in the position of not having a seat in the House of Lords, would desire, when a vacancy happened, that he should be translated to some other see, with a seat in the House of Lords; and you would raise naturally and continually the remark, " Look to those bishops who sit in the House of Lords, and compare them with those who do not sit there." Some persons would say that they were to be preferred to the others; some would say that they should put all of them in the House of Lords; and some would say they should remove those from the House who had seats there. It is said there was no precedent for this measure; but the precedent of the Irish bishops is in favour of it, for they sit in rotation in the House of Lords. The hon. Gentleman the Member for Bath says that is very true; but then the temporal Peers of Ireland are in the same position. I do not see how that affects the argument at all. That provision takes place in Ireland, and it does not tend to the injury of the Church in that country. For these reasons, I am of opinion that the Committee should adopt the Bill as it stands. I believe it will be more to the advantage of the Church to adopt it as it stands, than to introduce a Bishop of Manchester as an additional bishop into the House of Lords. I agree with the right hon. Gentleman the Member for Dorchester, that if I were contented never to contemplate any increase in the number of bishops at any time, we ought not to make an exception in the case of a Bishop of Manchester; but, not entertaining those views, and thinking that the scheme which has been proposed is the best, I hope that the Bill will be adopted as it is.

SIR T. ACLAND would explain the sense in which he accepted the offer of the Government. He accepted it not without some reluctance and doubts of its constitutional effects; but his hesitation gave way on finding that it would probably be attended with many benefits to that religious order the efficiency of which they proposed to increase; and he gave the Government his hearty approval, because they had been the first to make this advance. He accepted it, therefore, with all its objections and difficulties, not only as being the best offer they had had, but as being an instalment from the Legislature of other important advantages to be conceded to the Church. A difficulty of thirteen years' standing had been felt, in regard to new bishops, what they were to do, when called on to make them, as to putting them in the House of Lords; and, right or wrong, this question had been first solved in any shape by the noble Lord. The three bishops proposed afterwards to be created, might be provided for in course of time. It did not follow, because he supported this Bill, that he would adopt it as a guiding precedent. The gate was now open. He did not think any legislation would be able to shut it again; and he, for one, would not put his hand out to close it.

MR. ROEBUCK was loth to let the question go to a division without offering a few observations on the speech of the hon. Baronet. The hon. Gentleman had been perfectly frank; he had stated distinctly and unreservedly all that he expected from the measure of the noble Lord. And let the noble Lord, then, mark well those by whom his Bill was accepted with grateful acknowledgments, and those by whom it was opposed. The hon. Gentleman opposite said, "I accept your Bill as an instalment, though I receive it with hesitation and doubt." Why? Because the bishops about to be created would not all be admitted into the House of Lords. If this objection were removed, they would have been entirely satisfied. Other hon. Gentlemen had been equally explicit; they also objected while they accepted, and for the same reason. He had already confessed there was but one circumstance which mitigated his hostility to this measure, and that was, that hon. Gentlemen opposite would not be gratified in elevating these spiritual persons to the Upper House. And was it not therefore as clear as the lamp shining in the House, that as soon as one bishop was abandoned and the door opened, the next step might be to question the former rights of other spiritual persons to places, as Peers, in Parliament? The observation had been made, that a leader could not answer for his party; they had seen an example of that ere then, and they now had a clear indication of what was coming—"Let us get the sharp end of the wedge in; let the door be but a little opened, and we will manage to shove in four bishops." The circumstance to which he referred did considerably diminish the fears he had entertained on the subject. They now admitted a new principle into the spiritual constitution of the clergy—not new, if they took the episcopacy as a whole, and included the Irish Church; but completely novel as concerned the Church of England. Parliament now was about to call into question the existing spiritual constitution of this realm; and as soon as they had a House of Commons of opinion that the House of Lords required reform in its spiritual aspect, hon. Gentlemen opposite would be "estopped" in the ancient argument that no one had any right to interfere with the law-established constitution in spiritual affairs. He therefore thanked the noble Lord for beginning to deal with the Church in this way; and though hon. Gentlemen might gain one bishop now, they, on that side of the House, had gained a great argument; and, as argument there was invariably borne to its legitimate conclusion, they would press this measure to its legitimate consequences. They would test every one of the spiritual functions and spiritual ordinations; and the opinion of the people, without the slightest reference to hon. Gentlemen's religious feelings, spiritual notions or dogmata, would bring to bear all that dissent that was out of doors, and reform the House of Lords by expelling from their assembly the whole bench of bishops. The first step had been made by Her Majesty's present Government; he was sorry it was to be made in this way; but let hon. Gentlemen opposite take it well to heart and thoroughly understand what they were about to do.

They were not going to make new bishops, merely without giving them seats in the House of Lords; they were, in point of fact, with their eyes open, going to upturn the whole spiritual constitution by making every one of their bishops subject to rotation. There was an end for ever to the constitutional cant of Church and State; it required only Her Majesty's assent, and by this Bill would be at once established a new constitution, varying the relationship between Church and State, and introducing the principle of rotation and election into the House of Lords. The whole bench of bishops were about to be placed under the control of that House by becoming subject to the Minister, again controlled by that House; when a bishopric fell vacant, the Minister would have to make election of a bishop with reference to his coming into the House of Lords. The old principle, which seemed to hallow so many abuses, would be cast aside; a thoroughly new element invaded the House of Lords—as completely new as if the bishops were to be subject to election out of doors. The former sanctity would be thrown at once to the winds; the bishop's functions would no longer receive decorous consideration; and he would be exposed to every species of what was called Parliamentary jobbing. And did any one believe that the Dissenters would be quiet after this? They would be up in arms; every one would be asked at the hustings if they were prepared to vote for the expulsion of the bench of bishops from the House of Lords. The crisis might not arrive in his time, though strange events had recently come to pass; but this was the first step, and he warned hon. Gentlemen, chuckling over their triumph, of the inevitable results. It was a very pretty quarrel. He would leave it to hon. Gentlemen opposite to decide. He hoped the noble Lord would find his Friends on the other side of the House disposed to carry out completely these designs on the Church. Good or evil, the accomplishment must be between Her Majesty's Government and the Conservative Opposition.

Mr. M. J. O'CONNELL observed, that being a Roman Catholic, and as such not connected with the internal management of the Established Church, he had felt it to be his duty to refrain theretofore from giving a vote on this question. He considered therefore that it was the duty of those who were situate as he was to look silently on in matters of this kind, which did not concern them personally, and to leave it in the hands of those who were interested. If it were in contemplation to pay the new bishop out of funds to which Dissenters or Catholics were to subscribe, he should feel himself called upon to record a vote; but as it was proposed that they should be endowed out of funds already belonging to the Established Church, it could not be a matter of any consequence to Catholics and Dissenters if the heads of the Church of England should think fit to devote their money to the endowment of one bishopric, or to that of thirty new rectories. But then there remained a question of public policy, whether the new bishop was to have a seat in the House of Lords or not; and upon this point he did not hesitate to say, that in consideration of public grounds he was disposed to support the Government. He had heard nothing to make him believe that it was not desirable that some of the bishops should be left to discharge their duties towards their flocks and their clergy without being subject to the requirement of attending to Parliamentary business. On principle he was inclined to believe that it would be very much better that no ministers of religion should have seats in the Legislature at all; but then they must act, not as they wished, but rather remember that they had to deal with a long-established system.

Mr. AGLIONBY could not agree with the hon. and learned Member for Bath, that those opposed to this measure ought to abstain from taking part in this division, and leave it to the Government and the Conservative Opposition to decide it between them. It was his intention, on the contrary, to give, on this proposition, his hearty support to the Government.

The Committee divided on the question that the Clause (number of Lords Spiritual not to be increased) stand part of the Bill:—Ayes 111; Noes 57: Majority 54.

List of the Ayes.

Acheson, Visct.
Acland, Sir T. D.
Aglionby, H. A.
Anson, hon. Col.
Antrobus, E.
Baine, W.
Bannerman, A.
Bentinck, Lord G.
Bentinck, Lord H.
Berkeley, hon. Capt.
Bernal, R.
Blackstone, W. S.
Borthwick, P.
Bouverie, hon. E. P.
Bowles, Adm.
Bramston, T. W.
Brotherton, J.
Brown, W.
Buller, C.
Byng, rt. hon. G. S.
Cavendish, hon. C. C.
Cholmondeley, hon. H.
Clive, Visct.
Colebrooke, Sir T. E.
Collins, W.
Colville, C. R.
Cowper, hon. W. F.
Craig, W. G.
Dalmeny, Lord
Denison, J. E.
Duncan, G.
Dundas, Adm.

Dundas, Sir D.
Du Pre, C. G.
East, Sir J. B.
Easthope, Sir J.
Egerton, W. T.
Etwall, R.
Ewart, W.
Ferguson, Col.
Ferguson, Sir R. A.
Forster, M.
Frewen, C. H.
Gibson, rt. hon. T. M.
Gore, M.
Grey, rt. hon. Sir G.
Grosvenor, Lord R.
Hallyburton, Lord J. F.
Hamilton, Lord C.
Hastie, A.
Hatton, Capt. V.
Hawes, B.
Hindley, C.
Hobhouse, rt. hn. Sir J.
Hodgson, F.
Hope, A.
Howard, hon. H.
Hume, J.
Jervis, Sir J.
Jocelyn, Visct.
Kemble, H.
Labouchere, rt. hon. H.
Langston, J. H.
Lascelles, hon. W. S.
Lefroy, A.
Le Marchant, Sir D.
Lemon, Sir C.
Macaulay, rt. hon. T. B.
Mainwaring, T.
Maule, rt. hon. F.
Meynell, Capt.
Morpeth, Visct.
Morris, D.
Mundy, E. M.
Newry, Visct.
Norreys, Lord
Norreys, Sir D. J.
O'Brien, A. S.
O'Connell, M. J.
Ossulston, Lord
Packe, C. W.
Palmerston, Visct.
Parker, J.
Philipps, Sir R. B. P.
Price, Sir R.
Pryse, P.
Repton, G. W. J.
Ricardo, J. L.
Rich, H.
Richards, R.
Ross, D. R.
Russell, Lord J.
Russell, Lord C. J. F.
Russell, J. D. W.
Rutherfurd, A.
Seymer, H. K.
Seymour, Sir H. B.
Sheil, rt. hon. R. L.
Shelburne, Earl of
Sheridan, R. B.
Smith, rt. hon. R. V.
Somerville, Sir W. M.
Strutt, rt. hon. E.
Thornely, T.
Towneley, J.
Troubridge, Sir E. T.
Ward, H. G.
Wellesley, Lord C.
Williams, W.
Wilshere, W.
Wood, rt. hon. Sir C.

TELLERS.

Tufnell, H.
Hill, Lord M.

List of the NOES.

Adderley, C. B.
Archdall, Capt. M.
Bateson, T.
Bennet, P.
Blackburne, J. I.
Boldero, H. G.
Broadley, H.
Buller, Sir J. Y.
Carew, W. H. P.
Clements, Visct.
Clerk, rt. hon. Sir G.
Clifton, J. T.
Codrington, Sir W.
Corry, rt. hon. H.
Cripps, W.
Deedes, W.
Dickinson, F. H.
Duckworth, Sir J. T. B.
Duncombe, hon. O.
Egerton, Sir P.
Filmer, Sir E.
Fitzmaurice, hon. W.
Forester, hon. G. C. W.
Fuller, A. E.
Gaskell, J. M.
Goulburn, rt. hon. H.
Graham, rt. hon. Sir J.
Halford, Sir H.
Halsey, T. P.
Hamilton, J. H.
Hamilton, G. A.
Henley, J. W.
Herbert, rt. hon. S.
Hildyard, T. B. T.
Hill, Lord E.
Hope, G. W.
Horsman, E.
Hotham, Lord
Inglis, Sir R. H.
Legh, G. C.
Lindsay, Col.
Manners, Lord C. S.
Miles, P. W. S.
Neeld, J.
Neville, R.
Newdegate, C. N.
Nicholl, rt. hon. J.
Patten, J. W.
Reid, Col.
Round, C. J.
Spooner, R.
Stuart, J.
Tollemache, J.
Tyrell, Sir J. T.
Vivian, J. E.
Vyse, H.
Walpole, S. H.

TELLERS.

Law, hon. C. E.
Wortley, hon. J. S.

House resumed, and Bill to be reported.

POOR LAW ADMINISTRATION BILL.

Lords' Amendment to the Poor Law Administration Bill, considered.

On the Amendment to leave out Clause (A), added as a rider to the Bill, being proposed,

LORD J. RUSSELL said, that this was the clause with respect to the separation of old married couples in workhouses, which had been left out by the House of Lords altogether. He thought that, perhaps, considering the feeling which prevailed on this subject, and that all the main principles of the Poor Law were continued in the present Bill, it would be better that that House should disagree with the Amendment, trusting that their Lordships would see fit to reconsider it.

Motion agreed to. Lords' Amendment disagreed to.

On Clause (B), also added as a rider to the Bill, and omitted by the Lords, which related to the admission of the public to the proceedings of boards of guardians,

LORD J. RUSSELL moved that the Amendment of the Lords, in striking out the Clause, be agreed to.

MR. WAKLEY objected to this summary method of proceeding at such an hour of the night. There ought to be a discussion on this matter, and he moved that the debate be adjourned.

MR. TATTON EGERTON observed, that the clause which had been struck out by the Lords had been introduced into the Bill in the House of Commons at one o'clock in the morning.

LORD J. RUSSELL appealed to the hon. Member not to press an adjournment of the debate, and so impede the progress of public business.

Motion to adjourn the debate withdrawn.

MR. ETWALL was surprised at the easy way in which the Government abandoned the clause, after the general feeling which had been expressed in its favour by the Treasury Bench when it was debated.

SIR GEORGE GREY observed, that he had stated a strong objection against the indiscriminate admission of the public, while he had admitted that there might be a difference in the admission of the ratepayers only. He had been given to understand, however, that great alarm had been excited by this proposed clause; and upon the whole, under the peculiar circumstances of the case, he thought it better that the power should rest as it was with the boards of closing their doors. He thought the best course would be to agree to the Lords' Amendment.

MR. WAKLEY wanted to know in whose minds alarm had been excited? In those of the guardians, no doubt, who dared not let the public know what they were about. If they did not fear public opinion, why not admit the ratepayers? Some portion of the public surely might be admitted, as to the proceedings of that House. Why should not the press be admitted? He attached greater importance to this clause than even to the other; and he feared it had been suggested in another place that the course would be for the Lords to strike out both clauses, and then an agreement come to to retain one of them. It was most unfair to discuss a clause of this kind at such a time of night; and he would support his hon. Friend, if he took the sense of the House against agreeing to this Amendment.

MR. BROTHERTON observed, that the clause was in fact a cruel clause as regarded the poor. Some boards of guardians acted with delicacy and kindness in investigating the cases of the poor when they came before them; but it would be cruel to force these poor people to disclose their sufferings before a mob of spectators. The poor, he thought, would be better attended to by the board of guardians, when alone.

CAPTAIN PECHELL apprehended that the difficulty was for the poor to obtain admission to the boards of guardians.

The House divided on the question that the House doth agree with the Lords in the said Amendment, when the numbers were:—Ayes 89; Noes 19: Majority 70.

List of the AYES.

Acheson, Visct.
Acland, Sir T. D.
Antrobus, E.
Archdall, Capt. M.
Bentinck, Lord G.
Boldero, H. G.
Borthwick, P.
Bouverie, hon. E. P.
Bowles, Adm.
Bramston, T. W.
Brotherton, J.
Brown, W.
Buller, C.
Buller, Sir J. Y.
Byng, rt. hon. G. S.
Carew, W. H. P.
Cavendish, hon. C. C.
Clerk, rt. hon. Sir G.
Clive, Visct.
Cowper, hon. W. F.
Craig, W. G.
Cripps, W.
Deedes, W.
Denison, J. E.
Duckworth, Sir J. T. B.
Duncan, G.
Dundas, Adm.
Dundas, Sir D.
East, Sir J. B.
Easthope, Sir J.
Egerton, W. T.
Ferguson, Sir R. A.
Filmer, Sir E.
Forster, M.
Gaskell, J. M.
Gibson, rt. hon. T. M.
Gore, M.
Goulburn, rt. hon. H.
Graham, rt. hon. Sir J.
Greene, T.
Grey, rt. hon. Sir G.
Grosvenor, Lord R.
Halford, Sir H.
Hallyburton, Ld. G. F. G.
Halsey, T. P.
Hamilton, Lord C.
Henley, J. W.
Herbert, rt. hon. S.
Hobhouse, rt. hon. Sir J.
Inglis, Sir R. H.
Jervis, Sir J.
Labouchere, rt. hon. H.
Law, hon. C. E.
Lindsay, Col.
Macaulay, rt. hon. T. B.
Mainwaring, T.
Maule, rt. hon. F.
Morpeth, Visct.
Neeld, J.
Neville, R.
Newdegate, C. N.
Nicholl, rt. hon. J.
O'Brien, A. S.
Packe, C. W.
Palmerston, Visct.
Parker, J.
Philips, M.
Price, Sir R.
Rich, H.
Richards, R.
Roebuck, J. A.
Russell, Lord J.
Russell, Lord C. J. F.
Rutherfurd, A.
Seymer, H. K.
Seymour, Sir H. P.
Sheil, rt. hon. R. L.
Shelburne, Earl of
Somerville, Sir W. M.
Spooner, R.
Strutt, rt. hon. E.
Thornely, T.
Tyrell, Sir J. T.
Vyse, H.
Walpole, S. H.
Ward, H. G.
Wilshere, W.
Wood, rt. hon. Sir C.
Wortley, hon. J. S.

TELLERS.

Tufnell, H.
Hill, Lord M.

List of the NOES.

Aglionby, H. A.
Bennet, P.
Blackstone, W. S.
Collins, W.
Colville, C. R.
Duncombe, T.
Duncombe, hon. O.
Escott, B.
Evans, Sir De L.
Frewen, C. H.
Fuller, A. E.
Hindley, C.
Hodgson, F.
Lawless, hon. C.
M'Carthy, A.
Morris, D.
O'Connell, M. J.
Pechell, Capt.
Sheridan, R. B.

TELLERS.

Etwall, R.
Wakley, T.

Committee appointed to draw up reasons to be submitted to the Lords at a conference for disagreeing with the Lords' Amendment.

House adjourned at Two o'clock.

HOUSE OF LORDS,

Tuesday, July 20, 1847.

MINUTES.] PUBLIC BILLS.—*Reported.*—Poor Removal Act Amendment (No. 2); Consolidated Fund (Appropriation); Commons Inclosure (No. 3).

3^a and passed:—Drainage of Lands (Scotland); Herring Fishery (Scotland).

REVIEW OF THE SESSION.

LORD BROUGHAM said, he would now, in pursuance of the Motion of which he had given notice, call the attention of their Lordships to a subject of the last importance: he alluded to the course which had been pursued by Her Majesty's Government in conducting the business of the Session which was now so nearly closed. He need not refer to his own conduct during the past Session, from first to last, to justify him in stating what he felt was necessary to be stated; yet he would allude to it to show—although such an insignificant subject might not be deserving of attention—that he had not been actuated by any desire of pertinaciously opposing Her Majesty's Government; that he had given his support to such measures as he considered for the public advantage, without any regard to the quarter whence they had originated; and that when some measures to which, after deliberate consideration, he could not conscientiously give his support, had been brought forward, he had either abstained from debating them, that he might not be charged with a factious opposition, or had openly given his opposition to such of them as he felt he had no right to suffer to pass in silence. He, therefore, felt that he had a right to claim their Lordships' belief that in the Motion he was then making, he was not actuated by any factious design, or impelled by any party motive whatever, but that he was actuated by a sincere desire to promote the interests of the country in the highest branch of its concerns—the legislation. It was, therefore, to bring under the view of their Lordships, before they separated, the course which legislation had taken during the past Session, that he then rose to address them; and he did it with no vague or general view of merely uttering commonplaces, and still less with the design of casting blame or reproach upon the Government—for much that had occurred was inevitable—just at the point of their Parliamentary demise, and when they were going to render an account before the country. It was, therefore, with no view of uttering vague and idle complaints, and still less with an intention of casting blame where he would be most unwilling to blame—unless where it was unavoidable—that he rose; but it was with the practical view of endeavouring, by the force of the experience of the past, to gather lessons of wisdom for the future; and, if it were possible, to prevent the calamity of ever again falling into the horrible position—both to the Parliament and the country—of passing another such Session as they had now—he could hardly say arrived at the conclusion of. He would, first, with their Lordships' permission, advert to what would form but a very moderate portion of his contemplation—he meant the actual measures which had succeeded in passing through both Houses of Parliament—the Bills which had been actually passed into laws. He was about to say that, "unhappily," these formed but a very limited compartment of the picture he was about to present to their view, and would claim a very small portion of the retrospect in which he called on them to indulge. But, really, when he considered what that portion was—when he considered what the measures were which had been passed—he should rather say "happily," because worse measures—and he said it with all the respect it was possible to feel for Acts of Parliament that had actually become luws of the land—worse measures, in his view, never were passed in any Session of the Legislature. He did not wish—God forbid he should!—to drag their Lordships into any repetition of the debates which they had had upon those measures. They had debated them again and again; and the result of all these debates had been, that they had passed measures most calamitous to the country—calamitous even beyond the result foretold by previous calculation when passing them—and he had a right to call them still more calamitous now that they had had experience of their operation. Still he should advert to them for the purpose of justifying himself, hoping that they would never again see such measures passed by the Legislature, or any measure that might call forth such expressions of regret. He would refer, in the first place, to the Bill for regulating the administration of the English Poor Law. Upon that Bill he would not trouble their Lordships with a single word (as he had already entered his protest against it), further than to say that much of the success of that measure would depend upon the appointments that would be made under it. Firmness in carrying into effect the principles of that law, an incapability of being deterred by clamour either from the press or from Parliament—for in both quarters it had arisen—and, next, a capability of explaining and defending the measures of the department with which it was intrusted—those, he believed, were the great leading qualities to be desired in the person to be appointed to the important office of Chief Commissioner. The next measure to which he begged leave to refer, was the Destitute Persons (Ireland) Bill. He, for one, had never been able to see the policy of pursuing the course taken by this Bill. We had actually taken upon ourselves to feed the people of Ireland; and if it were said that the distress was local, that it was topical, that it was chiefly confined to six counties, he must say that the relief afforded would show that somewhat more than one-third, between one-third and one-half, but nearer one-half than one-third, of the whole people of Ireland were being fed out of the public supplies. He understood that no fewer than 2,900,000 and odd were at the present moment receiving sustenance out of the treasury of the public—sustenance paid for by the people, and doled and distributed by officers employed by Government. But that was to cease, it was said. But when? He confessed he looked forward with deep alarm to the cessation of that relief, for he had always thought it one of the worst characteristics of the perilous course on which they had entered, that it could not possibly last long. If, then, the distress continued, and if the resources should become exhausted, as they undoubtedly would, and relief should cease, the result would be that they had only put off the evil day, and that they had made things worse by increasing the number of applicants for relief, and made it far more difficult to provide for themselves when the relief ceased. The people, he was told, were now to be flung upon their own resources; but he considered it would have been a wiser course to have left them to their own resources at first. It might have been difficult, perhaps, to have maintained the tranquillity of the country under these circumstances; but he was convinced the danger had been incalculably increased by the perilous experiment of several months' relief. It was one thing to deny relief from the beginning, and throw the people on their own resources from the first, and quite another thing to give them relief without throwing them on their own resources, and afterwards, having turned them into beggars, withdrawing the eleemosynary dole. He must say, therefore, that there was much more reason to be alarmed for the tranquillity of the country at this moment, than if they had never entered on this unwise course. A great portion of the ten millions voted by Parliament were gone, and had been expended in articles of food brought across the Atlantic; and although a large portion of that grant was to be repaid by a charge on Irish property, it appeared that some had already exclaimed against the repayment. The doctrine of repudiation had been imported across the Atlantic; but there was this difference in favour of the Irish, that the odious and despicable doctrine had been derived from persons who admitted that they had the means of payment, but who told them they would not pay. He hoped such a feeling would not be found to exist in Ireland. Should the destitution in Ireland continue, how were the Government to meet it without a vote of credit? He, for one, had been against the course pursued by Government; but, having taken that course, they ought to have adhered to it consistently, and gone on with it as long as the necessity continued. It might be inconvenient to do so; but they should have thought of that before they began; having once begun, they ought to go through with it. If necessity was to be admitted as the excuse for having done what they had, surely necessity was an excuse for going on. They were, therefore, as much bound to take a vote of credit in this case, as in time of war. A vote of credit was only applicable to a contingency; but such a contingency must be the inevitable consequence they would get into in relieving the great portion of a people out of the public funds. It had been recommended, and the plan had been adopted, to give relief to persons unable to provide for themselves in April, May, June, July, and up to September; but why they were not to be relieved in October, November, or December, or until Parliament met, he was wholly unable to comprehend. If necessity justified what had been done, it surely called upon them to give a vote of credit before Parliament separated. He must make one additional observation before he left this part of the subject. He found that in several districts assessments under the New Poor Law had been made. He found that in some places an assessment had been made of 9*s.* in the pound for the quarter, that was 36*s.* for the year, which in many places was nearly double the rent of the land. It should be remembered, also, that this was not on the old valuation of the land, but on a new valuation, by which there was an increase of between 40 and 50 per cent on the valuation. With such a state of things, if the pound sterling had not the capacity of expanding itself in Ireland in a way which was never found to be the case either in public or private affairs in England, a great convulsion must arise. Then, with respect to the third measure, he could not conceive anything more pregnant with ruin than what was likely to arise from the recent measures of the Legislature. In the view which he had taken of that measure, he had the high authority and support of several of the most able Members of both

Houses. He alluded to the Factories Act, in the opposition to which he was joined by his noble and learned Friend on the Woolsack, by his noble Friend the First Lord of the Admiralty, and by his noble Friend —than whom no man was more able to discuss in the most satisfactory manner that or any other subject—the present excellent and able Lord Lieutenant of Ireland. He had seen within the last three days a statement in the papers which fully justified him in the course which he took with regard to that measure, and which it required no seer to foretell. He had said, if they reduced the hours of work from twelve to ten, or eleven, that wages would be reduced in a proportionate degree. This had really taken place in a most important place in the north of England. The hours of labour had been reduced in conformity with the Factories Bill, and the manufacturers proposed to reduce the rate of wages in a proportionate degree; the consequence was, there was a strike of the workmen at one of the greatest manufactories in Yorkshire. This manufactory belonged to some persons who were formerly constituents of his; and he knew them to be most humane men; but it was not a question of humanity, it was a question of pounds, shillings, and pence; they could not do otherwise than they had done, or they would very shortly be in the *Gazette*, and be utterly ruined; they could not feed all those persons, unless in the same way as they gave sustenance to the people of Ireland. It was monstrous to suppose that they could feed a million of workpeople in this way. These were the measures which had passed this Session; and he did not wish to speak disrespectfully of them; but he must say, that worse measures never passed in any Session than those three, and these were all the measures of any importance which had passed. Hitherto he had been dealing with realities—he had been in the living world among actual beings; and he found only three measures; he was now about to descend to the shades below, and to deal with those whom his noble Friend near him would probably call the "lean world;" where—

> "Ibant obscuri solâ sub nocte per umbram,
> Perque domos Ditis vacuos et inania regna"—

of those promised, some had never been born; others had departed after a moment of existence. Of others he could say nothing, for nothing could be said of what never had even a momentary existence, which were fantasies that died in the thinking: of some that struggled into life, all that could be said of them was, that a thousand freaks and fancies died with them. A great number of them had been promised, and a great many suggestions had been made—one Minister saying this measure should pass during the present Session, and another promising another measure. One Minister had said that he wished to act with more liberality to the Catholic clergy; and another said he was not prepared to do so. He (Lord Brougham) was prepared to agree with the former, and he, therefore, was in favour of paying them by the State; and he said this more particularly because he knew it was a most unpopular doctrine, and if truths were not to be stated because they were unpopular, they never would become popular. He knew that he differed in opinion with a great portion of his countrymen on this question; but it was only his duty boldly and openly to state his opinion. He knew that a former Colleague of his on the bench opposite agreed with him on this subject on a former occasion, and they examined a Roman Catholic bishop as to the propriety of paying the Roman Catholic clergy by the State, so as to relieve the people from the charge of maintaining them, and also to relieve the Roman Catholic priests from the state of dependence in which they were, so that when they had the necessaries of life and subsistence provided for them in a different way from the present, they might cease to be at the mercy of political agitators. The case was put of an allowance out of the Consolidated Fund. When this Catholic bishop was questioned on the subject, he replied, that from the primate down to the lowest vicar (those are called vicars in the Roman Catholic Church who perform the duties of curates in the Protestant) every man of us would do all in his power to prevent such a measure. My excellent Colleague said we knew that; but suppose it was possible, in spite of the priesthood, to carry a measure for such a purpose? The reply of the Catholic bishop was, "He should say every one, from the primate to the lowest vicar, would jump at it." Some time afterwards he (Lord Brougham) had taken the opportunity of stating this in the House. In consequence of his having stated this, a most respectable gentleman had been pleased to suppose that he alluded to Lord Spencer. He (Lord Brougham) had never said that he alluded to Lord Spencer; but it had been assumed that it must be

Lord Spencer, because he had said that a most estimable Colleague of his was with him—although he had twelve estimable Colleagues at the time. This person, however, took it upon himself to go to Lord Spencer, and question him on the subject; and Lord Spencer's reply was that he had never said a word to any Roman Catholic bishop on the subject. He (Lord Brougham) had not stated the case half so strong as he might have done, for much was said as to a flight of rooks across the Castle yard, which he did not allude to. He thought this was a most important subject, and he was sorry his views had not been carried out by some measure before the present time. He greatly valued the advice of a noble Friend of his on the cross benches—advice which was given twelve years ago—and he was sorry that advice was not taken into proper estimation some years ago. He alluded to the recommendation of his noble Friend to establish diplomatic relations with the See of Rome. They should recollect that there were more than seven millions of Roman Catholics in this country—a much larger number than was found in Prussia, which had long established such relations with Rome. Chevalier Bunsen was several years the Ambassador of Prussia there; and during that time he carried on the correspondence of the two Courts of Prussia and Rome in the most satisfactory manner. It should be recollected also that Prussia was Protestant quite as much this or any other country. He could not say a word respecting Prussia, and let one moment pass, without paying the humble tribute of his admiration at the noble sacrifice of power made to patriotism by the illustrious Sovereign of that country in giving a constitution to his people. He knew that it had given almost universal satisfaction, although it had not been received with that gratitude which it deserved in some quarters. In the course of last Session they had heard something about the Irish Church; but in the present Session nothing had been said or done on the subject; but any measure on this matter appeared to be in "limbo of vanity," from whence things never came to life, therefore he would say nothing more on this subject. There were other measures just begun, but which had never been gone on with. They were puny infantile measures which instantly dropped into oblivion, and reminded him of the feeling which had been described on entering the lower regions—

> "Continuo auditæ voces, vagitus et ingens
> Infantumque animæ flentes in limine primo,
> Quos dulcis vitæ exsortes, et ab ubere raptos,
> Abstulit atra dies, et funere mersit acerbo."

These never went further than the threshold. But if they went to the Parliamentary Votes, they would there see a whole crowd of ghosts of measures of various sizes, and of various degrees of importance. Some of them were of the most important nature, and most were of some value; but all had fallen in one pitiless process of abandonment and massacre by the authors of their existence. The first of these that struck him was a most proper and useful measure, and was well-timed; but it was only brought on on the 24th of June, although it had long been promised. It appeared to have been a four or five months' child, and was now abandoned. The object of this measure was most important; it was to extend to Ireland the system of voting, as well as limiting the duration of the poll, as practised in England. He had looked over this Bill—this five months' child—for he could hardly call it "the infant Hercules." The preamble said, "Whereas it is expedient to limit the duration of elections in burghs in Ireland to one day," and so forth; but there was not a single word on the subject in the body of the Bill. There was a permissive clause in the Bill, that the duration of the polling might be extended to four days in case of riot; but there was nothing in it, unless in the declaratory part of the preamble, to limit it to one day. This Bill would have proved a great acquisition at the present time; but it was only brought forward on the 24th of June, and was abandoned. There was another Bill of a very important nature, and which was intended to effect a just and equitable purpose. It was to enable persons to tender their votes at elections who had not paid up their rates in proper time, provided no demand for payment had been made. This was all quite correct, for a man should be entitled to his vote if he had paid all the taxes asked from him. It would be a great hardship upon a man who had not paid altogether his rates and taxes when he had not been called upon to do so. Penalties were imposed by the Parliamentary Electors Bill on the tax collector who neglected his duty, and endangered the vote of an elector. This was a most excellent measure, and was peculiarly appropriate at the present season, when they were on the eve of a general election. That Bill had only been introduced on the

2nd of June, and had gone to join its brother Bill in limbo. Then there was another Bill intended for the advantage of Ireland, to which he would shortly address himself. He must express his deep regret that this measure had not been proceeded with, which was not only intended to aid in the relief of the destitution in Ireland, but also would have had the effect of bettering the condition of the tenants and raising them from their present state, by tending to get rid of the fatal and injurious competition for land. He alluded to the Bill for the sale of Encumbered Estates, which he held to have been of the greatest possible importance, if not of supreme importance to Ireland. Some had said this was the only one measure proposed at the beginning of the Session which was really good; others, however, with himself, said that it was by far the best measure which had been brought forward. No one objected to it when it was first brought forward; but he had suggested at the time to his noble and learned Friend on the Woolsack that it might have the effect of throwing estates into Chancery. The answer, which he had received from his noble and learned Friend was most satisfactory, and he had hoped that it would have been pressed forward; but it had gone—not for ever, he trusted—but it had certainly gone for the Session. Why had this happened? Was it because they had alarmed the Irish landlords as to the mortgagees coming in on them and at once demanding payment? This reason had been given, he believed; but it was not one to which much weight should have been attached. It was clear to him that this would happen to a much less extent than was supposed. It was never to be supposed that in many instances it would occur that when a landlord could borrow money at a lower interest, it would bring down the mortgagee to demand payment, to whom a higher rate of interest was paid. If in any part of the country persons held estates which were encumbered, they would have derived great benefit from such an Act, by being enabled to relieve themselves in the most rational manner. If they were in such a condition as to be little more than the nominal owners of estates, the sooner the better for them that they looked their difficulties in the face, and came to an understanding with their creditors. How many instances of bankruptcy had he known—how many instances of insolvency had come before him—how many instances of countless distress and inextricable confusion and misery had come to his knowledge from year to year, in which men both by day and night were deprived of all rest or ease, merely from their not having the firmness and moral courage to look their difficulties in the face, and consider whether the estate which they nominally possessed was their own property, or the property of their creditors, and so endeavour to come to some arrangement which would be just to one party, and beneficial to both. This measure would have been one of the most beneficial which could be passed for the Irish landlords, and that in the precise proportion as they were involved in their estates. He did not deny that persons in distressed circumstances often did refuse to look their affairs in the face, and provide for the difficulties before them; but every reasonable aid should be afforded them for this purpose. This measure would have done much in the right direction—but it had been abandoned. He then came to another measure, which he also regarded as being of considerable importance in connexion with commercial matters—he meant the Railway Bill. He could not mention this measure without exciting a smile. This was a measure of the highest importance; and it involved considerations which called for the greatest attention. This was the first instance in this country of which he was aware—indeed, he was confident that it was the first instance in this country, whatever might be the case on the Continent—in which Government proposed to interfere, and to take a large share in the administration and superintendence of large commercial transactions. He might be told of the East India Company; but that rather involved questions of territorial possessions than of commerce: he might also be referred to the Bank of England; but many particular circumstances attended the connexion of the Government with that body, and the monopoly was of a very peculiar nature. The Bank of England, with which the Government was necessarily mixed up, could not be deprived of their present privileges without the payment of 13,000,000*l.* or 14,000,000*l.* This, however, was the first time that the Government had attempted to interfere with the conveyance of passengers and the general traffic of the country, which was so common in foreign countries. This was the first time in this country that the Government endeavoured to control private concerns of a nature like this; but this was no reason why there should be no interference. On the contrary, he thought there should be; and he highly approved of the Bill. His noble Friend the illustrious Duke, not less than twelve years ago, observed, with his accustomed sagacity, that we had too long abstained from interfering in such matters. The reasons why the Legislature should interfere with railway enterprises, although not with other projects in which private capital was embarked, were numerous and not to be resisted. In the first place, the whole country was already scored out with a network of railways, which had entirely superseded those ancient modes of conveyance to which the public in bygone times were wont to have recourse. Then, again, it was unfortunately too true to admit of cavil, that accidents, eminently dangerous to the public safety had become of such frequent occurrence as to render the intervention of the police necessary; besides which, it should be remembered, that the Legislature had given to the railway interest in this country a monopoly which rendered it essentially imperative that there should be legislative interference. That monopoly consisted in the permission to expend millions of capital in the furtherance of their projects, and to take property compulsorily from private individuals with a view to carry out those projects—a description of monopoly which could only be conferred by the Legislature. It was clear, therefore, that the Legislature had a perfect right to interfere in the management of those concerns. When Sir Hugh Myddelton brought the New River to London, he had no such powers, and accordingly it had to take a tortuous course. When, therefore, they gave to the railway projector the invaluable power of going on in a straight line, it was clear that they conferred a power which could only be carried out by compelling persons, whether they willed it or not, to permit their lands to be traversed by the railway. Such a privilege could not be secured to any man, or to any body of men, otherwise than by the interference of the Legislature; and it was clear, therefore, that the right of the Legislature to interfere in the management of such projects was undoubted and almost unqualified. The measure which contemplated that interference—an interference which would most unquestionably have redounded to the advantage of the public—had unfortunately been put off till next Session. And why was it put off? The next Session would be the first of what would be emphatically the "Railway Parliament" of England; and if the Government had no chance of carrying their Bill this Session, on account of the opposition threatened to it, he feared the chance of its being carried next Session would be slight indeed, when for one railway man now in the Commons' House, they would have a dozen, besides many others who, though not railway proprietors themselves, would nevertheless be pledged to the railway interest, by whom they would in their turn be supported. Taking these things into consideration, he had no hope of the Railway Bill passing next Session; and he deeply lamented that it had been put off. There was another question, to which the Queen had directed the especial attention of the Legislature. Her Majesty had recommended, in Her Speech from the Throne, that measures should be taken without delay for improving the means of guarding against pestilence and disease, and generally for tending to the health of towns. In pursuance of that recommendation, and of the Addresses in answer, the Health of Towns Bill was brought forward at an early period of the Session. Now, of all the towns in England which required most urgently the operation of that measure—of all the towns which called most loudly on the Parliament to accede to the recommendations of the Royal Speech by passing such a Bill, to secure it against the fatal effects of close packing, of filth, of disease, and of pestilence—the city of London was the most prominent. The noble Lord at the head of the Woods and Forests department, however, struck the word "London" out of the Bill; and having thus acted in respect of a measure in which he was most deeply interested, how was it to be supposed that the gentlemen connected with the railway interests would not next Session withdraw themselves from the scope of the Railway Bill? But the omission of the word "London," however much he might regret it, would not constitute any reason why he (Lord Brougham) should not have voted for the Bill, had he been permitted the opportunity of doing so. But unhappily that opportunity had not been presented. The Bill, after lingering in a state of exhaustion, merged into a state of suspended animation, then had to encounter a death struggle, and ultimately went the way of all the other Bills, with the exception of those which were in principle or in detail objectionable, and which unfortunately appeared to be endowed with a pernicious vitality. Next came the Thames Conservancy Bill. It was a measure of great public importance; nay, it was of even national importance, because the navigation of that noble river, on which floated the commerce of the world, was of the utmost importance to the whole mercantile interest; but it were needless to expend further comment on it now, for it had been unfortunately withdrawn within the last few days, and now swelled the list of valuable measures abandoned and lost. Then came the Prisons Bill. In that measure he had felt the deepest interest; for if there was anything more indecorous or more at variance with right than another, it was the evil which that Bill was designed to remedy—the evil of having the Statute-book speaking one language, and the Judges in their sentences speaking another, which was in the very teeth of it. The Bill, however, was lost. It had now no other record but its insertion on the list of measures withdrawn. Then came two Bills of less importance—the Scotch Marriage Bill, and Registration of Births, Marriages, and Deaths Bill, which completed the dismal catalogue of the victims which fell by the hands of their own parents—

> "Matres, atque viri, defunctaque corpora vitâ
> Magnanimûm heroum, pueri, innuptæque puellæ,
> Impositique rogis juvenes ante ora parentum."

If he (Lord Brougham) was bid to look to the balanced state of parties, no doubt it was a consideration of much weight; but he must say that the conduct of the Ministry argued a systematic and wholesale degree of impotency on their parts which would induce in the public mind the belief that a strong Government, which was not to be much liked, but which worked effectively and determinedly, was, on the whole, to be preferred to a weak one, which did not work as well. The very worst feature of a republic had been said to be this impotency, which very often rose from divided counsels. Bishop Burnett related of William III., that he was in the habit of remarking, that he found it difficult to make up his mind as to whether a monarchy or a republic was the better form of government. "But," he added, "one thing, at all events, is certain—that anything is better than a monarchy without power." And so he (Lord Brougham) would say of a Ministry. Any Ministry was better than a Ministry without power. Anarchy and impotency incapacitated a Government from keeping its bargain with the State, which was, to give protection in exchange for allegiance. It was amongst the first principles of constitutional law, that when protection ceased, allegiance was not due; but a perfectly weak and impotent Government, which was powerless to carry a single measure, could not command the means of affording that protection which was the very condition of allegiance. He hoped that he might never live to see another such Session of Parliament as that which had just passed. He trusted that he might never live to see such a fate befall any other Bills as that which had befallen the Railway Bill, the Sale of Incumbered Estates Bill, and the Health of Towns Bill. His hopes were summed up in this:—that the result of the approaching general election would enable them to witness the gratifying spectacle of a Government—whatever Government that might be—strengthened and made self-reliant by the support of the people—a Government enshrined by its own merits in the admiration and affection of the people, and having at its command in both Houses such majorities as would enable them to legislate wisely, deliberately, and fearlessly, for the benefit of the country. Such a Government, that, if it failed in the due performance of its functions, it should be perfectly clear that that responsibility rested on the Government, and was not—as he now confessed, and painfully confessed—equally shared between the Government and the Parliament. When the Parliament was again restored to its functions, he trusted he should never again have to witness or lament over the history of such a Session—a Session disheartening and disappointing to the people; ruinous to the character of the Government; injurious even to the character of the constitution; and damaging, beyond the power of language to describe, to the reputation of this great country all over the world. The noble and learned Lord concluded by moving the following resolution:—

> "That an humble Address be presented to Her Majesty, assuring Her Majesty of the deep Interest which the House ever must take in whatever Subjects are graciously recommended to their Consideration by Her Majesty; That it is with great Pain the House feels obliged to admit that nearly the whole of these Subjects thus recommended, of high Importance in themselves, have not been so far successfully dealt with as to produce any legislative Measures to which Her Majesty's Royal Assent can be asked; That it is very painful to the House to reflect, that other

Subjects of vast Moment which have been submitted to Parliament, have of Necessity been abandoned without anything effectual being done; That it is the earnest Hope of the House that no other Session of Parliament will pass without more being done for the Improvement of the Institutions of this country, and the Benefit of Her Majesty's Subjects, than it has been found possible to accomplish in the Session now so near its Close; That the House now, and at all Times, willingly and gratefully acknowledges Her Majesty's parental Care for the Welfare of Her Dominions."

The Marquess of LANSDOWNE felt, that although his noble and learned Friend, in making this Motion, and the speech by which he had prefaced it, had disclaimed any intention of making an attack upon the Government; he had, perhaps unconsciously, perhaps unwillingly—but yet most certainly—implied quite enough of blame, not only as against the Government, but the general character and proceedings of Parliament—on which also he stated that he made no attack—to render it necessary for him (the Marquess of Lansdowne) not to allow this Motion—to which he trusted their Lordships would give a direct negative—to be put without troubling the House with a few observations. The noble and learned Lord commenced his speech by stating that there had never been a Session equal to the present in the disappointment it had occasioned—in the amount of measures that had been withdrawn—in the insufficiency and mischief of the measures that had passed. Now with regard to that general description of the measures of the Session, as they consisted of and might be described as measures that had passed into law, and measures that had failed to be passed into law, and measures that had been withdrawn by their authors, there was not one word uttered by the noble and learned Lord in condemnation of the present Session, that might not be shown to apply in an equal and corresponding degree to four out of five of the Sessions of recent years. The condition in which, in one part of his speech, his noble and learned Friend had described the country now to be—namely, in the expectation of a dissolution of Parliament—had also on former occasions produced precisely the same consequences—precisely the same haste—precisely the same unwillingness, if not incapacity, to proceed with certain Bills and important measures, which excited, more or less, public opposition. But when his noble and learned Friend deprecated too ready concession to popular opinion, and described the evil thereof, he must recollect that the inevitable tendency of the measure which he (the Marquess of Lansdowne) had joined with the noble and learned Lord in supporting—which was now part of the law of the land—and the effect of which was to restore to a great part of the people of this country that franchise of which by custom they had been so long unjustly deprived; to the recovery of which they were justly entitled, and by the acquisition of which he was persuaded, as well as his noble and learned Friend, that the foundations of government in this country were essentially strengthened and improved. The inevitable tendency of that measure, carried after years and years of repeated failure, was—and his noble and learned Friend must have been blind if he did not at the time perceive it—to render the Members of the other House more attentive to the wishes and feelings of popular constituencies. The noble and learned Lord had also spoken of the withdrawal of certain measures; but this was a circumstance which had not occurred in the present year for the first time; but Session after Session had witnessed the withdrawal of measures—a withdrawal which his noble and learned Friend stated to be peculiar to this Session. The proposition for the sanitary improvement of towns, which his noble and learned Friend seemed to think was first brought forward in the present year, and afterwards sacrificed, had nevertheless undergone that process of being brought forward and sacrificed before. However, he (the Marquess of Lansdowne) maintained that in the present Session the question had been materially advanced in public opinion. And when the noble and learned Lord so complacently dwelt on those shades of Bills, and on those *nania regina* to which he had referred, he (the Marquess of Lansdowne) begged to say that, notwithstanding the withdrawal of a certain number of Bills, if they were founded in justice and in the solid interests of the country, they were useful even in their destruction, because they left seeds behind them which never failed to fructify; and the time would come when they would be adopted by Parliament. These Bills would then come into operation, after repeated discussion, in a more perfect and mature state, and would be better fitted for their purpose by finding the public prepared to receive them. He agreed with his hon. and learned Friend, and admitted the manliness of his declaration, that it was only by again and again stating in that House and elsewhere opinions which were unpopular, that their unpopularity could be gradually subdued, and that more intelligent views with respect to public exigencies and improvements became prevalent. Thus it happened, that after the repetition of arguments and opinions applied to Bills that had failed, those arguments and opinions began to make an impression on the public, and ultimately had their effect in carrying the desired measures to a successful issue. His noble and learned Friend seemed to think that Government had nothing to do but to propose Bills and carry them. Now he (the Marquess of Lansdowne) believed that there never had been and never would be a Government so strong in this country as to be enabled at once to subdue public opinion out of doors; and, in spite of the feeling existing in the country, to carry in one Session great and important measures on their first proposal. What had been the history of all those great changes in which his noble and learned Friend himself had borne a part, but a struggle in the first instance against public opinion, which had gradually been brought to conviction by repeated arguments and discussions, involving, however, the loss of Session after Session, and Bill after Bill? He could point out measure after measure, supported by men of the greatest ability, which had of necessity undergone this delay. The monopoly of the East India Company had been gradually subdued, against which for half a century Government after Government had struggled. In the course of that struggle one Government was overturned, and difficulties were imposed upon another; but ultimately, to the great advantage of the country, the monopoly was extinguished. Yet his noble and learned Friend, with as much justice as he taunted the present Government, might have attacked preceding Governments for not carrying that measure sooner. What also was the history of the repeal of the Test and Corporation Acts, and of Catholic Emancipation? By the repeated discussions with respect to those measures public opinion became enlightened, and ultimately they were successfully carried. It was by long and continued discussions that those measures had been carried; and so, in like manner, a number of those ghosts of Bills—as his noble and learned Friend had styled them—would ultimately become the law of the land. He would now make a few observations on what had fallen from his noble and learned Friend with respect to the actual legislation of the present Session. His noble and learned Friend had omitted from his catalogue a great number of Bills of no small importance which had passed during the Session, without attracting a great deal of discussion. He did not agree with his noble and learned Friend in measuring the importance of Bills or questions by the length of the speeches made either on one side or the other. There were certain Bills, which, though not so attractive for debate as other Bills, yet when they came to estimate and put a value on the proceedings of Parliament, would be found to tell as much as any of those Bills which had been subject to more popular discussion. Referring to a list of the Bills passed this Session, he found that some Bills had been carried, which, he was informed by those who understood the nature of them better than himself, had made a most valuable change in the tenure of land in Scotland. He alluded to the Transference of Lands Bill, the Service of Heirs Bill, and the Burgage Tenure Bill. Were they to condemn those Bills as being good for nothing, not on account of their expected operation, but because their passage through Parliament was not accompanied by long debates? Many other Bills had been passed, which no one could deny were important, on account of the provisions they contained. In this class of Bills he placed the whole series of measures connected with the support of the people of Ireland, and the removal of the famine which had afflicted that country. His noble and learned Friend had dwelt on those measures as deserving the reprobation of that House; but let the House recollect that they were the only measures offered for abating one of the greatest calamities that had ever happened to the population of that country. Though his noble and learned Friend thought those measures so mischievous, their Lordships had, nevertheless, never throughout the discussions on them had the benefit of learning from his noble and learned Friend what were the measures he would have applied for the purpose of relieving the distress in Ireland. Surely his noble and learned Friend would not have allowed misery, fever, and starvation to stalk through the land without making an effort to check their progress? It was, therefore, going too far on the part of his noble and learned Friend, when no other measures had been proposed, to place those measures which had been actually adopted by Parliament not to the credit but to the debit side of the account. Their Lordships, he had no doubt, would admit the importance of having passed those measures; but they could not be discussed and carried without displacing other measures; and it was mainly owing to the constant attention of Parliament in passing those Bills which were essentially necessary for the service of Ireland, that an impracticability was experienced in introducing or carrying successfully forward many other important measures. His noble and learned Friend had taken occasion to condemn what he called the "repudiation" doctrine in reference to the money advanced to Ireland, and had expressed his apprehensions that no part of the money so advanced would be recovered. He said, that from experience they had no right to draw such a conclusion. So far from such a doctrine having been acted upon in Ireland, in a great many instances, if not in all, the sums advanced by Parliament to Ireland had been faithfully repaid with interest. He thought it was therefore hard that his noble and learned Friend should make a charge against Ireland of insolvency and repudiation, when, up to the present time, the people of Ireland had evinced a remarkable eagerness to repay the sums advanced. He had the satisfaction to state, that his noble and learned Friend was mistaken as to the amount of persons receiving relief in Ireland. The number had greatly diminished; and when his noble and learned Friend stated that which in some respects was true, that the tendency of eleemosynary measures was to pervert in some degree the habits of a population, he (the Marquess of Lansdowne) was gratified to inform his noble and learned Friend that such had not been the case in the present instance to the extent he apprehended; because in the last month, or the last few weeks, during which that relief to which his noble and learned Friend had alluded had been diminished, instead of there being an increase of outrages, there had been in each county of Ireland, as tested during the present assizes, the most remarkable diminution of outrage, especially of outrage against property. The Bills then in reference to Ireland were essential, he had almost said, for the salvation of Ireland. There were passed in the present Session Bills relating to the importation of corn, to the navigation laws, and to the use of sugar in distilleries and breweries. His noble and learned Friend might say, that these were temporary measures, but the latter were not; and what he (the Marquess of Lansdowne) said was, even though temporary Bills, they were calculated to mitigate the great calamity which had visited the country. These were in themselves great measures; and, as such, this Session, in which they were passed, deserved to be remembered with credit and honour for having acted industriously and successfully to increase the supply of food. The passing of these measures might well excuse both the Government and the Parliament for the omission or adjournment of other measures of not such immediate urgency.

Lord BROUGHAM made some observations in reply, after which the Motion was put and negatived.

House adjourned.

HOUSE OF COMMONS,

Tuesday, July 20, 1847.

Minutes.] Public Bills.—*Reported.*—Bishopric of Manchester, &c.

3° and passed:—Ecclesiastical Jurisdiction Amendment; Bankruptcy and Insolvency.

Petitions Presented. By Mr. R. Yorke, from David Boswell Reid, M.A., respecting the New Houses of Parliament.—By Mr. Wakley, from Benjamin Wills, of Brixton, Surrey, for the Repeal of the Septennial Act.—By Mr. Hume, from Chippenham, for Inquiry respecting the Rajah of Sattara.—By Mr. Bannerman, from George James Guthrie, late President of the Royal College of Surgeons of England, for Medical Reform.—By Sir H. Fleetwood, from Catholic Clergymen and Laymen of South Hill, Whittle-le-Woods, and its vicinity, for Alteration of the Proposed Plan of Education.—By Mr. Villiers, from Guardians of the Sheffield Union, for Repeal of the Game Laws.

TRINIDAD.

Mr. HUME, having referred to a petition from the inhabitants of Trinidad, praying that they might be granted a representative system of local government, asked the Under Secretary for the Colonies if the Government had any intention of taking measures to secure such a mode of government to that colony?

Mr. HAWES stated, that in the existing condition of the colony, with education very little diffused among the inhabitants, it had not been deemed advisable at the present period to establish there representative institutions. Steps had, however, been taken to prepare the people for some future measure of that kind. The island had been divided into districts; municipal forms had been conceded; and this, it was hoped, would lay the firm foundation for good independent government.

THE BIBLE AT MADRAS.

SIR R. H. INGLIS asked his right hon. Friend the President of the Board of Control, if he was aware that the Marquess of Tweeddale, the Governor of Madras, had issued a regulation allowing the use of Bibles in the class schools established for the education of the natives in that presisidency, and if this practice had been discountenanced by the Government at home?

SIR J. HOBHOUSE was understood to say that such a regulation had been issued by the Council at Madras, and that the Court of Directors had considered it to be a new step, the effect of which might be to alarm the natives.

DOCKYARD VOLUNTEERS.

In answer to a question put by MR. HINDLEY.

MR. WARD stated, that the volunteer corps in the dockyards were, as their name implied, purely voluntary associations; but that the entry had been all but universal on the part of those employed in the yards. Nothing whatever, however, in the shape of a penalty was imposed by the Board of Admiralty for refusing to enter that corps. With respect to persons leaving the corps, after having joined it, without just cause, he believed that as no one case had occurred requiring interference, so no decision had been come to on the subject. It had been arranged, however, that in all future entries into the dockyards a condition would be imposed that such persons should join the corps.

KIRKLESS-HALL COLLIERY EXPLOSION.

In answer to a question put by MR. HINDLEY, the purport of which was not heard,

SIR G. GREY said, he very much regretted that the suggestion made some some days ago for a competent person to attend on behalf of the Government at the coroner's inquest, to which his hon. Friend alluded, had not been acted upon. The usual course was for Sir Henry de la Beche to attend himself, or to order a competent person to attend for him, on the occasion of accidents in mines; and at his (Sir G. Grey's) request, his noble Friend the First Commissioner of the Woods and Forests, communicated with Sir H. de la Beche on the subject. Owing, however, to that gentleman having been absent in Wales, the communication was not acted upon. With regard to the accident, he might state that he now held in his hand the letter from the magistrates to which he had alluded on a former day, but which he did not then read, as it might be considered that his doing so would tend to influence the inquiry then pending. The inquest having now terminated, he might now state that the document, which was signed by five magistrates, who had inquired into the matter, stated that the explosion was the result of a workman, who was one of the sufferers, having, contrary to the express orders of the proprietors, used gunpowder in the mine. That a search was commenced five hours after the accident, and continued until all hopes were abandoned of the persons in the mine surviving, and that it was not until the people were convinced that none of the sufferers could be alive, that the mine was closed. He believed the case had been thoroughly investigated, and that the result showed that the explosion had been caused by the carelessness of one of the victims.

PLACES OF WORSHIP IN BARRACKS.

SIR R. H. INGLIS said, he wished to ask his right hon. Friend the Secretary at War a question connected with the establishment of schools in the Army. A report had reached him to the effect that a project had been communicated to the right hon. Gentleman, which he had referred to the Board of Ordnance, for the opening of these schools as places of worship. There were three denominations of Christians recognised in the Army—the Church of England, the Church of Scotlond, and the Church of Rome; and he wished to know if the report were true, that the barrack school rooms should be allotted to the religious observances of these denominations; and, if so, whether he had any objection to lay the communication to which he alluded on the Table of the House?

MR. FOX MAULE said, the House was aware that his right hon. Friend who preceded him in office had turned his attention most laudably and properly to the improvement of education in the Army, not only with regard to the children of soldiers, but with regard to the education of the soldiers themselves. Carrying out these views, a school had been since established at the Military Asylum at Chelsea for the training of regimental schoolmasters; and in the course of a couple of years, he expected that they would be able to furnish all the regiments with proper schoolmasters. Although no communication had passed between himself and the Board of Ordnance on the subject, yet it was generally understood that there would be prepared at the barracks rooms for the use of the school to be established in each barrack. It would be so arranged, that on the Sabbath-day divine service might be performed in the room for the inmates of the barrack; but it was not contemplated that the room should be consecrated; and, therefore, he apprehended it would not be a place of worship to suit the views of Episcopalians, or the Members of the Church of England, or of the Church of Rome. He believed that divine service would only be allowed in the barracks in cases where troops could not have accommodation in the places of worship open to the community at large, so that he thought there was nothing in the arrangement that could hurt the most sensitive consciences.

ECCLESIASTICAL COMMISSIONERS.

MR. HORSMAN wished to put a question relative to the powers vested in the Ecclesiastical Commissioners. It had been rumoured that the Ecclesiastical Commissioners were about to take the tithes of a rectory in a certain diocese, and add them to the revenues of the bishopric; the reason for so doing being, that the bishop was also the rector of the parish. The question he wished to put was, whether, if such a scheme was in contemplation, the Government would recommend that it should receive the sanction of the Queen in Council?

SIR G. GREY, in consequence of the hon. Gentleman having communicated to him the alleged circumstances of this case, had made inquiry into the matter. The rectory was in the bishopric of Peterborough. It was a case in which the Ecclesiastical Commissioners had no jurisdiction whatever; and he might state, as to the living being annexed to the bishopric, that no proposition of the kind had been laid before the Ecclesiastical Commissioners.

THE POST OFFICE.

MR. T. S. DUNCOMBE rose, pursuant to notice, to bring under the consideration of the House the subject of the petition of Robert Grapes, complaining of his dismissal from the office of letter-carrier, and the improper conduct of certain authorities at the Post Office. He must first complain of the non-presentation of certain returns relating to the Post Office which he had moved for some time ago, so that he was not in possession of the information which he considered it to be the duty of that establishment and of the Government to have furnished him with. Robert Grapes, the petitioner, was appointed to the situation of a general post letter-carrier in March, 1840, and continued in that capacity until July, 1847, during which time no complaint was made of him except in 1846, when he was charged with writing a circular, which charge was shown to be untrue. As a proof that there was no charge against the character of this individual, it had been stated by Mr. Peacock, the Solicitor of the Post Office, that he was one of the best officers in the whole establishment. Why then had he been persecuted and dismissed? For this simple reason—that he had been instrumental in pointing out certain reforms necessary in that establishment, and instrumental in exposing (he said this advisedly) the dishonest practices of Mr. F. Kelly, the inspector, both with respect to the *Directory*, which had been the bane of the establishment, and with respect to other facts. In consequence of certain charges brought by Grapes against Mr. F. Kelly and Mr. W. Bokenham, consisting of no less than fifteen heads, an inquiry was directed by the Postmaster General before Mr. Peacock, which commenced on July 8, 1846: many witnesses were examined; and on July 25, 1846, one of those witnesses, named Thomas Mitchell, whilst giving important evidence in support of these charges, was summarily dismissed the service on a false charge trumped up against him. He thought Her Majesty's Government must have been convinced of the injustice done to this man, as he had been placed in a better situation. Grapes was equally innocent; and the public were indebted to him for his services in exposing the practices of Mr. Kelly and Mr. Bokenham. Mitchell having been so dismissed, other witnesses declined giving evidence, in consequence of the terror and alarm produced by his dismissal. But, what had been the consequence of the charges? He had asserted that the early deliveries were a fraud upon the public; and they were stopped. He had said that the *Directory* was an impediment to the public service; and that had been altered. He had said that there was not a sufficient scale of salaries to the men at the Post Office, and that the fees and perquisites should be done away with; and both were done. There was another system by which Mr. Kelly had defrauded the public, in distributing 50,000 or 60,000 circulars (puffing his *Directory*) through the Post Office, without payment of postage, which had also been done away with. He had received a great deal of information from Robert Grapes, who had been persecuted in consequence; and, on the 3rd July last, he was dismissed Her Majesty's service, without any cause being assigned. On that day he had been called before the Postmaster General, and the depositions read to him of two men named Watts and Thomas against a man named Thacker, stating that which was totally false, viz., that Grapes had tampered with them respecting the evidence they were to give. Watts and Thomas were called in and asked whether their depositions were true? Watts answered, "I think so." Thomas answered, "No;" and when asked why he had signed the deposition, he replied that it had been under pressure, and through terror of Kelly. He could prove that Kelly had said, with reference to the trial of Thacker at the Old Bailey, that he would give 1,000*l*. if he could place Grapes in the same position. If this were true, was Kelly a fit man to remain on the establishment? Grapes had been dismissed by a written order, without date or signature; he had been refused a copy, and a copy had been refused to him (Mr. Duncombe), it not being convenient, he supposed, for the Post Office to give it. Her Majesty's Ministers should never be satisfied until they appointed a commission to examine the establishment. As to Colonel Maberly, he and Mr. Kelly were one; Mr. Kelly was paramount; for some reason or other, whoever was Postmaster General was sure soon to become the tool of this man. He challenged Her Majesty's Government to an investigation of this establishment, and he moved—

"That it is the opinion of this House, that a searching inquiry should be instituted into the various complaints, on the part of Robert Grapes and other subordinate officers of the General Post Office, into the conduct of Mr. F. Kelly, Inspector of Letter Carriers."

Mr. PARKER was understood to say, that the difficulty attending the preparation of the returns moved for by the hon. Gentleman was the cause of their delay; and upon this ground (namely, the absence of the papers) he suggested that it would be better to postpone the subject till another Session. With respect to the dismissal of Grapes, there had been a prosecution at the Old Bailey of a man named Thacker, upon a charge of embezzling letters, which had been proved; and it came to the knowledge of the Post Office that Watts, one of the witnesses, had been tampered with by Grapes, to prevent his giving evidence against the man; an inquiry took place before Mr. Peacock, a professional man of high respectability, the Solicitor of the Post Office; Watts and Thomas were examined, and it had been proved that Grapes had taken steps to prevent Watts from giving evidence.

Mr. PROTHEROE regretted that the Post Office Department was not represented in that House. He regretted also to be obliged to notice the fact, that persons in the employment of the Post Office authorities should have been dismissed without being informed of their offence, leaving the world to infer that there existed no other cause for their dismissal than the fact that they had given evidence against their superiors in office.

Mr. HUME observed, that the question, though relating to an humble individual, was one of immense importance. If any man were honest enough to expose abuses, he ought not to be dismissed merely for disclosing a scene of plunder and robbery.

Mr. MOFFATT thought that Grapes had done considerable service to the public, in exposing very gross abuses, reflecting the greatest disgrace upon the authorities of the Post Office; and it would only have been justice in the Postmaster General to have made ample inquiries, and made public the result. He hoped the charges which had been urged by Grapes against persons in the Post Office would receive the fullest investigation.

The CHANCELLOR of the EXCHEQUER would not enter at all into that discursive matter which had been attached to this discussion. The ground on which Grapes was dismissed was, as alleged, that he had tampered with witnesses; and it would be apparent that a man labouring under the suspicion of such an offence, could not be retained in employment at the Post Office. The papers which would shortly be laid before the House would show whether the facts were or were not, as stated by Grapes; and it would be desirable that the House should not take any decisive step in reference to this question until in possession of the necessary evidence.

MR. T. S. DUNCOMBE had moved for the papers of which the right hon. Gentleman spoke a fortnight ago; and it was his conviction that they had been purposely withheld by the people at the Post Office in order to put him in a disadvantageous position in entering upon the subject before the House. It had already been made perfectly clear that Grapes was dismissed without having been furnished with the reasons of his dismissal. He had asked for a copy of the order dismissing him, and it had been refused. He entreated them to give him the date of that order; and he was told in reply that it was not dated at all. If, as the right hon. Gentleman observed, it was true that he had tampered with witnesses, he would not have been a fit person for employment in the Post Office; but the accusation was altogether false and unfounded. It would be much more creditable to the establishment, and satisfactory to the public, if an investigation were at once instituted into the cause of the man's dismissal; and he would undertake to prove that the charges had been trumped up by Kelly, whose malpractices had been exposed by Grapes; and who, therefore, had directed against that unfortunate subordinate all his enmity. It would be disgraceful to the Post Office if it could be shown that there had been no ground whatever for dismissing Grapes; and it was easy to demonstrate that his only offence had been his daring in questioning the honesty of Kelly, to whom in the end he had been most unjustly sacrificed. If he was returned to the next Parliament, he would without any delay bring the subject again before the House; and if a Committee were granted he would put it beyond all manner of doubt that Kelly was the greatest tyrant ever employed in any public department; and that so long as he remained in the Post Office the administration of the affairs of that establishment would be open to continual abuse. Under the circumstances, he would content himself with having brought the case before the House.

Motion by leave, withdrawn.

PASSENGERS' BILL.

MR. HAWES appeared at the bar of the House, and presented the Report of the Select Committee appointed to draw up the reasons of the Commons for disagreeing with certain Amendments of the Lords in the Passengers' Bill.

LORD G. BENTINCK said, he had great reason to complain of the course which the Government had taken with respect to certain clauses which had, at his suggestion, been introduced into this Bill, and which had since been struck out by the noble Lord the Secretary of State for the Colonies, while the Bill was passing through the House of Lords. One of those clauses was to enforce an official survey of all ships employed to carry passengers; and the other clause was to require a certain number of men to be employed in British ships. The Chancellor of the Exchequer assented to these clauses, and undertook to insert them in the Bill. This he considered a compact binding on the Government; but, to his surprise, one of those clauses—that relating to the manning of the ships—had been since struck out of the Bill by the Secretary of State for the Colonies. This he (Lord G. Bentinck) considered to be a direct breach of compact between him and the Government.

The CHANCELLOR OF THE EXCHEQUER protested against the language of his noble Friend, in making the allegation that there had been any breach of compact on the part of the Government. The only arrangement entered into between him and his noble Friend was as to the surveying of the ships; and this had been strictly complied with, for the clause was in the Bill. It was true his noble Friend did afterwards propose that a clause should be introduced to regulate the number of men which should be employed on board the ships; and at the time he (the Chancellor of the Exchequer) said that he saw no objection to the clause, and it was accordingly introduced into the Bill; but it had upon consideration been since struck out by the Lords, with the consent of his noble Friend the Secretary of State for the Colonies. This, however, could not be called a breach of compact, for no compact was entered into with respect to the clause relating to the manning of ships; it was entirely confined to the surveying of the ships, to ascertain their seaworthiness.

LORD G. BENTINCK said, he thought that, in his position, he had good right to complain, because, if this were allowed, it would put an end to all conventional arrangements, which saved so much trouble, and to that confidence which was so desirable between parties in that House.

MR. HAWES denied that any such compact as the noble Lord had referred to was entered into.

The matter dropped.

SCINDE.

Mr. HUME rose to move for copies of the despatches of Lord Hardinge respecting Scinde; and called the attention of the House to the state of that province. He had, early in the Session, placed on the paper a notice of his intention to ask some questions in respect to the seizure and occupation of this province by British troops; but having at the time understood that Lord Hardinge was about to report on the subject, he had considered it premature to do anything further; and he had accordingly waited until that day, the very close of the Session. He was convinced that we had taken possession of Scinde in a most unwarrantable manner; and the injustice was now recoiling on us in the shape of a heavy charge, amounting to nearly 1,000,000*l.* per annum. Commercially, Scinde had been of no use to us; and he did not think it ever would be an advantage. Politically, our gain had been as little; it drained our other dominions of an enormous sum yearly incurred as a charge in retaining our conquest; and this was so much taken from the general revenue, the surplus from which should be applied to those great public works, drainage and railways, which, as every one knew, were now essentially necessary to the prosperity of India. Our frontiers had been in consequence extended some hundreds of miles through deserts; and thus, in a military point of view, we had, in holding Scinde, most effectually weakened our old position. Scinde, again, was surrounded by hill tribes, all of whom were robbers and plunderers; and the army we had found necessary to preserve peace at this moment, numbered from 13,000 to 14,000 men, Native and European. The result of such a drain upon their ordinary resources, would compel the Council to increase their debt. The deficit in the revenues of India, had, in fact, solely been produced by the expenses of Scinde. Until we got possession of that province, there had always been a surplus; and the debt now amounted to 39,000,000*l.* Believing, therefore, that we had obtained the country dishonestly, and seeing that the conquest was neither commercially nor politically likely to be a gain to us, he thought it high time that in England it should be known what the Government now intended to do. Scinde, as they had been told by a Speech from the Throne, had been annexed to the British empire; that had been the case for four or five years; but still, Scinde did not enjoy the blessings of good government: it was still completely under a military despotism. There was not a civil officer in power throughout the whole province; the whole administration was under the control of General Napier. Did the Government contemplate that this state of things should continue? It would be much the wisest plan to deliver up Scinde to the natives, to whom the country properly belonged; and we should then have a friendly race standing between us and the Belooches and other hill tribes by whom our other possessions were continually disturbed. He did not desire to raise any question in respect to the government of General Napier. He did not think the time had come for that; he merely looked at the Government as it now was and as it ought to be. He hoped the right hon. Gentleman would be able to give such an answer to the question as would relieve him (Mr. Hume) from the necessity of taking any further steps; and he was sure the Government would be glad of the opportunity that was now afforded them of setting at rest the anxious doubts which those interested in our Indian empire naturally entertained. He begged to ask what the future government of Scinde was to be? Whether, after four years of peaceful occupation, it was to be placed under the same government as the other territories under the East India Company, or whether it was to become a Queen's colony, or to remain under a military government?

Sir J. HOBHOUSE said, that nothing could be fairer than the manner in which the hon. Gentleman had proceeded in calling the attention of Parliament to this very important subject. The House, however, would not expect him (Sir J. Hobhouse) to give any opinion whatever as to the possession of Scinde, or as to the mode in which that valuable province had been annexed to the British Empire. He found it in that position referred to by his hon. Friend; and he admitted that it had not been attached to India in the ordinary way. It had not been included, as the hon. Gentleman would seem to wish, in the government of Bombay, but had been placed under the Governor General and Council, to whom General Napier, commanding in Scinde, made all his reports. The government, certainly, was essentially military; and there was, it was true, scarcely a civil officer employed in the province; military men only were employed, and General Napier himself was the life and soul of the whole Administration. He would not enter into details with respect to General Napier; he did not think himself called on to say more than that since he (Sir J. Hobhouse) had been connected with India affairs, he had found that officer sedulously attentive to all his duties. If anything was wrong, to General Napier the evil was not to be attributed; the system might be objectionable; but so far as General Napier was concerned, he had most honestly, conscientiously, and ably carried out the form of government which was supposed to have been best adapted to the circumstances of the case. General Napier, in repeated communications, had expressed his conviction that the present mode of administering the affairs of the newly conquered province had been most successful, and had answered better than if the ordinary system suggested by the hon. Member for Montrose had been resorted to. He had, in the despatches sent home, endeavoured to show this; and, on the first blush of the question, it would appear that this opinion was fully borne out by the facts. The hon. Gentleman had somewhat exaggerated the expenditure in Scinde: it was not quite so much as he had stated, though, at the same time, there could be no doubt that a considerable addition to the charges of our Indian dominions had resulted from the conquest and possession of that province. It should, however, be remembered, in considering this cost, that long before we entered Scinde we had found it necessary to keep up a large military force in defence of our frontier positions in that direction. The last letter received from General Napier conveyed the information that the present number of regular troops in Scinde was 7,500. We had, further, 2,400 police, preserving order; and this was an effective force that might be called on at any moment. General Napier even said that an active officer would be able to retain the province with 5,000 men, supposing them to be as well organized as the present army. On the whole, during the last four years, it had been peacefully governed. There had been but one serious disturbance, which had been quelled by General Napier, with his usual rapidity, in fifty-four hours; and at this moment the whole country was in complete tranquillity, well governed, and comparatively prosperous. He was not in a condition to say that this form of government was intended to be continued. If Scinde was to belong to British India then it would have to be ruled like th rest of the empire. General Napier undoubtedly had done much good, and many great things; he had abolished slavery, made canals, raised embankments, opened harbours and effected other improvements; and already a very promising account had been given of what might be expected in future years. Even but four years ago Scinde was the rendezvous of bands o cut-throats; but now, the roads and river communications were open and secure—life and property were respected. Military government had, therefore, so far, been beneficial. But it was not the intention of the Government of India, or of the Government at home, that this military rule should last; and he would take the liberty of reading a despatch, which would be found among the papers, from the Governor General of India to the Court of Directors, which would give a far better account of the intention of Lord Hardinge and the Court of Directors on this subject than anything which could come from him. In that despatch Lord Hardinge said—

> "With regard to the arrangement which will be best adapted for the future management o Scinde, I am of opinion that the whole of that province ought to be annexed to the presidency o Bombay; that the troops and all the establishments, both civil and military, should be furnished by and committed to the charge of the Governor in Council of that presidency; that, so long as Major General Sir Charles Napier continues to exercise the civil and military duties of the Government and the command of the forces in Scinde it will not be advisable to make any change in a country recently subdued. Great advantage has attended the union of the two appointments of governor and commander of the forces in Scinde. A warlike military people are more likely to be disposed to obey the chief who conquered them than any other public officer who could be selected by the Government. This opinion is limited to a state of affairs such as that which has existed in Scinde since I arrived in India. The state of the Punjaub, during the years 1844 and 1845, could not with advantage have admitted of the annexation of Scinde to the presidency of Bombay. The Government of India could not have selected during the last three years a more efficient officer than Major General Sir Charles Napier for the duties he so ably performs in Scinde. On public grounds, therefore, there has been no occasion on which I could, with benefit to your honourable Company's service, have recommended any better plan for the administration of Scinde than the present."

With respect to the opinion given by his hon. Friend as to the expediency of restoring the Ameers, the old governors of Scinde, he must say, from all the investigations he had made into the subject, that he was obliged to come to a contrary conclusion. He had found that the very rumour of the Ameers coming back had produced injurious consequences. The people who had latterly come into Scinde, and settled down there as cultivators of the soil, or in the small towns, began some of them to return; and considerable alarm was produced, merely by statements which had appeared in the English papers, and which had afterwards been copied into the Bombay papers, to the effect that the Ameers ought to be restored. Some persons entertained the idea that it was better to be contented with our former boundary, than to retain this extended territory. This might be very well if we had not such a place as Beloochistan on our left, and other wild tribes occupying the hills that divide Scinde from Affghanistan. But his hon. Friend should recollect that we had now, in point of fact, possession of the Punjaub; and he doubted whether, having that great plain in our possession, we should allow anybody to hold Scinde but ourselves, or at least parties on whom we could depend. He doubted whether any arrangement could have been made better suited to the exigencies of the moment than that which now prevailed. At this time, as he had already said, everything was going on in peace. Lieutenant General Napier was in complete possession of the country. He could confidently state, after having read all the despatches, that there was no desire on the part of the people that the rule of the Ameers should be restored; and he, for one, should not like to be responsible for any such change of policy. At the same time, this was a subject fairly open to discussion, and he should be disposed to enter upon that discussion whenever the occasion required. He repeated that on the return home of Sir Charles Napier, the province of Scinde would be annexed to the Government of Bombay.

Sir R. H. INGLIS thought we ought not to forget those princes who had been placed by our arms under our power. Admitting that one had proved unfaithful, that was no reason why injustice should be done to others. Regarding this as one of the blackest events in the history of this country, he should hail with satisfaction and joy the restoration of those princes to the thrones which they occupied, and who, whether they ruled according to our maxims or not, had as good a right to their thrones as any of the sovereigns of Europe.

Mr. HUME did not think the Government were acting wisely for Scinde, if they allowed matters to remain longer as they were, provided that they had made up their minds to change the government to the same position with other parts of India. If the present system was bad, the sooner it was changed the better.

Sir J. HOBHOUSE had not said the present government was objectionable. He only said it was a right thing that the country should be annexed to the presidency of Bombay.

Sir De L. EVANS hoped the right hon. Gentleman would not alter the present state of things in Scinde, unless the whole of our policy was altered in the Punjaub.

Motion agreed to.

DONATION FROM THE UNITED STATES.

Mr. BROTHERTON moved an Address to Her Majesty—

"That She will be graciously pleased to direct that there be laid before this House a Copy of the Letter from the Secretary of State for Foreign Affairs to Her Britannic Majesty's Minister at Washington, acknowledging the donation in food and money of the Legislature and Citizens of the United States of America, for the relief of the famine in Ireland."

The hon. Gentleman then referred to the great amount of misery and destitution which had been experienced in Ireland, and to the very large contributions raised in America for the relief of that country, one committee having raised a sum of not less than 109,000*l.*, and another of 60,000*l.* The expedition with which these large contributions were converted into food, and transmitted to Ireland, was also matter of surprise as well as gratitude. He would read a few extracts from letters, to show the manner in which the subject had been taken up in the United States:—

"Cincinnati, Ohio, April 22, 1847.—Early in the month of February, accounts of the suffering in Ireland, for want of food, were received in this city, and excited strong sympathy among our citizens. A meeting was called, a handsome sum was at once raised, and the subscribers were appointed an executive committee to manage the sum collected, and give efficiency to the cause of Irish relief. At this meeting it was determined that all receipts of money should be converted into provisions, and that a ship load should be sent to the suffering poor of Ireland."

"Zanesville, Ohio, Mushingum County, April 30, 1847.—Our countrymen, with a generosity that is proverbial, and ever alive to the calls of suffering humanity, regardless alike of race, clime, or religion, have nobly responded to the heart-stricken appeals of their famishing brethren on the other side of the Atlantic; and out of the abundance liberally supplied them by a bountiful Providence, they have given their mite. Small as it may be in comparison with your requirements, it is evidence, at least, of heartfelt sympathy in your sufferings, and a desire to alleviate them."

"New York, May 19.—Out of one contribution of 170 dollars, the largest part was contributed by the children of the forest, our red brethren of the Choctau nation. Even these distant men (as the chairman of the New York committee well observes) have felt the force of Christian sympathy and benevolence, and have given their cheerful aid in this good cause, though they are separated from you by so many miles of land and an ocean's breadth."

"New York, June 1.—Accompanying this you will receive a bill of lading for 300 barrels of corn meal, to be distributed under the directions of the central committee of relief, to the needy and destitute people of Ireland. This small offering is from the contributions of a few of the lodges of Odd Fellows of the city and State of New York, and is tendered in the hope, that although it may be considered but a mite towards relieving the wants of a suffering nation, still that it may be the means of temporary relief to a few of those whom starvation is reducing to the brink of despair and death. The best wishes of the order go with their donation; and the most fervent hopes are entertained that the hand of a merciful Providence will speedily restore an abundant supply of the fruits of the earth, so that the famine may depart, and the now suffering people of Ireland may once more be restored to their usual comforts, and be again permitted to enjoy the smiles of their happy homes."

After the manifestation of such kindly feelings on their part, we could do no less than give expression to the gratitude which we felt. He regarded the conduct of America, in this respect, as of great importance, seeing it tended to confirm those friendly relations that existed between the two countries, and would aid in laying the foundations of lasting peace. These reasons justified him in moving that this Address be presented to Her Majesty, simply with the view of eliciting the strong expressions of national gratitude which he was certain were felt in every part of Her Majesty's dominions.

MR. W. BROWN concurred in what had been said by the hon. Gentleman with regard to the effect upon the amicable relations of the two countries which the recent conduct of America was calculated to produce. It was not merely the amount of their contributions; but the promptness with which vessels were placed at the disposal of the contributors for the transmission of grain to Ireland, and the kindness and hospitality which were shown to those who went from this country to procure provisions, that demanded their gratitude and esteem. There was one feature in the transaction deserving of particular notice, namely, that part of the donations came from our red brethren in the west.

VISCOUNT PALMERSTON: I have very great pleasure in acquiescing in and supporting the Motion of my hon. Friend. The only regret I can feel on the occasion is, that although the despatch for which he has moved, expresses in strong terms the feelings of Her Majesty's Government, and the feelings which we believe animate the whole of the British nation; still I am sensible that no terms which could have been employed by me could adequately convey the feelings of thankfulness and admiration which the conduct of our brethren in the United States must have excited amongst all classes of Her Majesty's subjects. As my hon. Friend has stated, not only was the supply sent large, liberal, and generous in amount, but the manner in which it was sent, the promptitude with which it was forwarded, and the strong feeling of interest which was expressed on the part of all those who had contributed to that supply, were more almost than could possibly be expected on the part of persons who, however united to us in origin, and bound to us by every tie of language and religion, of manners and habits, are still separated from us by a mighty expanse of ocean. The extent of sympathy by which our brethren in the United States have been so honourably distinguished, was more than could have been expected. I agree with my hon. Friend, that transactions of this nature are calculated to cement in the strongest manner those ties which ought to unite kindred nations; and it is this circumstance which ought not to be lost sight of, that while on the one hand acts of generosity such as these rivet the affections of those upon whom they have been conferred, and on the other hand they tend, by the very exercise which accompanies them of good and kindly feelings, to increase the affection of those by whom they are done towards those who have been the objects of those generous acts. And, therefore, Sir, both in regard to the feelings excited here, and the feelings which those actions proclaim in America, I am happy to think that, whatever may have been the sufferings and calamities which gave rise to these acts, at all events they will so far have been attended with happy results that they have afforded to our brethren in the United States an opportunity of doing that which will never be forgotten by the people of this country; and, I hope, for a long time, will increase the good feeling of the people of the United States towards their brethren in this country.

VISCOUNT MORPETH said, as he had had very peculiar opportunities of noticing the warmth of feeling which existed in every part of the Union towards the inhabitants of this, which they called "the old" country, he could not help declaring his participation in the feelings of satisfaction and thankfulness expressed by the hon. Member and by his noble Friend. It was impossible to overrate the strength of those feelings, evinced by the warmth of sympathy which had been called forth in America, and by the liberal and substantial tokens which had accompanied it, and which, he trusted, would be considered to be amply acknowledged by the despatch of his noble Friend. But he was not sorry that, before Parliament arose, feelings such as those expressed by the hon. Members had found a vent within the walls of that House. He had received letters recently from New York, describing the measures taken there for securing the health and comfort of the destitute emigrants from this country; and at Boston an island had been set apart for and appropriated to hospitals. He believed that the same kindly spirit prevailed all over the Union, from Maine to New Orleans; and although occasionally causes of soreness and subjects of altercation would unavoidably arise between the two countries, as between other nations, the touchstone of calamity was only wanting to call forth at all times whatever was most generous and kind in our nature. He bore with pleasure his testimony to the value of those feelings which the calamities of Ireland had elicited in America.

Motion agreed to.

BRANDING OF DESERTERS.

MR. HUME moved—

> "For a Return of the number of Soldiers of Her Majesty's Land Forces, Cavalry and Infantry, that have been marked as deserters, in each of the last three years; also, a Copy of any General Orders by the Commander of the Forces respecting marking, now in force; similar Return for the Marine Forces (if any); And similar Return for the Navy (if any)."

The hon. Member, said he did not know until recently that the practice of branding—not burning, but marking—deserters existed in the Army; but it appeared that an order had been issued by the Horse Guards directing that they should be branded or punctured with the letter "D" indelibly impressed. He was aware that it was very important to discountenance desertion in the regular Army; at the same time he thought it very discreditable to mark men as beasts were marked. He did not know whether the practice existed in the Marines and Navy.

MR. F. MAULE said, he had expected that the returns, to which there was no objection, would have been moved by his hon. Friend without any observation; but as his hon. Friend had made some remarks, he would make a short statement to the House upon the subject of marking deserters. No doubt, many years ago there did exist a very improper practice of branding men for desertion, that was, after a man deserted a number of times; but this was never done without a sentence of a court-martial, never at the discretion of the commanding officer. The House would see that it was absolutely necessary that some means should exist by which a man practising desertion should be known again; and no other means had been discovered, especially since the lash had been discouraged, but that of marking the man with the letter "D," which was nothing more than a kind of tattooing, which sailors voluntarily underwent. The deserter was tattooed with the letter "D" by the point of a needle fixed in cork. He had no objection to the returns moved for, and a copy of the order from the Horse Guards should be included.

Motion agreed to.

THE RAJAH OF SATTARA.

MR. HUME: Mr. Speaker, as the Motion I am about to submit to the House has been acceded to by the right hon. Baronet, I will only make such a statement as will give an opportunity of addressing the House to the right hon. Baronet and the noble Lord, who on a late occasion cast reflections, as I think, rather undeservedly on an officer whose name was mentioned in that debate—I refer to Captain Cogan. Upon the mention of his name by my hon. Friend opposite, it was stated by the noble Lord, that the opinion formed by the right hon. Baronet was, in his opinion, correct, and that he was an officer in the pay of the Government at the time. Now, upon inquiry, I find that Captain Cogan never was in the pay of the Government, and that he never was in the King's service. The reflection cast upon him was, that having been employed by the Crown to carry out an important negociation with the Imaum of Muscat, after having finished that business, he was accused of interfering on his way home with the affairs of the Rajah of Sattara; and a correspondence passed, which since that time I have seen, and which appears to me to exonerate him entirely from the charges which were made against him. If, therefore, the noble Lord persists in stating what was stated to the House the other night, I must press for the correspondence being laid upon the Table exonerating Captain Cogan entirely from that which I should call rather a discreditable and disgraceful charge. On the contrary, I believe the fact was that Captain Cogan was intrusted with the duty of bringing home a teak seventy-four gun ship as a present to the Crown, and with carrying out a yacht as a present from the King to the Imaum of Muscat. Having been entrusted by the Imaum of Muscat with a present to His Majesty, it was thought they ought to give him a commission to take back a yacht in return. I have every reason to believe that he performed that duty satisfactorily, having seen a letter of thanks from the noble Lord afterwards, approving of his conduct. I do think, therefore, it is rather hard that an honourable gentleman, who after twenty-five years service retired on half-pay, should be brought forward and branded as a person who upon mercenary motives interfered in the case of the Rajah of Sattara. If I am wrong in my understanding of what fell from the right hon. Baronet (I state it as it is reported in the papers), I shall be glad to hear any explanation. I am quite satisfied that the production of these papers will place Captain Cogan's character in that position in which I think it ought to stand, looking at his services for twenty-five years, as a private individual, not having pay, but acting willingly in the public service. It is not a fair thing to have assertions of this kind made in this House. I, therefore, move—

"For Copies of all Correspondence during 1838 and 1839, between the Government of Bombay and Captain Cogan, relative to the affairs of the Rajah of Sattara, together with Copies of any Communications, Minutes, or Opinions of the Government of Bombay relating thereto."

SIR J. C. HOBHOUSE: Mr. Speaker, Sir, what I said was this. This gentleman was employed on a mission for the Government by the noble Lord; that is to say, he was commissioned to contract with the Imaum of Muscat, a treaty; and that when so employed, he upon his return to Bombay entered into a communication with certain partisans of the Rajah of Sattara. That is what I stated; and when these papers are produced, I believe my assertion will be found to be strictly correct. In fact, in a conversation which the gallant Captain (Captain Cogan) reported at a meeting of proprietors as having been held in an interview with me, that was one of the causes of my complaint against him; and I always understood that he did not deny the fact at all. But, however, when the papers are produced—indeed many of them have already been produced—it seems to me, if I read them correctly (and I read them only yesterday), that there will be no doubt whatever of the fact that he did enter into a communication with certain persons who are agents of the Rajah of Sattara. I know very well that he denies it, because I have seen letters in which he does so deny it. [Mr. B. ESCOTT: What are the dates of the letters?] My hon. Friend is under a mistake in supposing that Captain Cogan was not at that time employed on a mission. Certainly it was my understanding that he was so employed. My noble Friend near me also so understood; and certainly in his letters to me, I always understood that he was employed by Lord Palmerston at that time to negociate a treaty with the Imaum of Muscat; and being so employed, I certainly did consider it wrong that he should enter into any communication with the partisans or agents of the Rajah of Sattara. That is what I stated. I am not aware that any mistake was made with respect to that statement. I am perfectly willing to give my hon. Friend the papers with merely the addition of copies of all communications made to the said Government of Bombay, relative to Captain Cogan, because of course it is in those communications that my hon. Friend will see on what ground I made the statement the other day. I had not the least doubt of it at the time; and I must say, I have no doubt of it now. If I am mistaken, I certainly am mistaken upon the authority of I do not know how many letters, which I received when I was President of the Board of Control in 1839 from Bombay. If there is any mistake, it is a very extraordinary one; and the parties who communicated on the subject with the Government of Bombay must have been under a very strange delusion, and must have been doing very great injustice to Captain Cogan. Now, Sir, with respect to the other charge which was made, my hon. Friend has not alluded to it. I will say nothing more about it; but let it be always remembered by my hon. Friend opposite, the Member for Finsbury, that I had some provocation. When I find myself charged with saying things in a private conversation with Captain Cogan, and when that statement was read by the hon. Member for Finsbury, which he found in a report of a public speech, although I do not blame him for it, yet I think I had some provocation; and in self-defence I stated what I knew—at least what I thought I knew, and what I believe I know, respecting this gentleman. I am perfectly willing that these papers should be laid upon the Table. I do not know whether my hon. Friend means to move for the other papers. With the exception of letters from myself and the replies, there is no record of those letters. I have many letters from the gentleman; for he and I were on the best possible terms. In all other respects I am sure I have not the least objection to give my hon. Friend any papers he asks for.

Mr. WAKLEY: Sir, as I stated on a former occasion, I have had no private communication with Captain Cogan. I found a document in a printed book, containing a report of a discussion in the India House, and I thought it my duty to read it to the House, because I really felt from what I read in that report, that the right hon. Gentleman had had his mind biassed by some private influence. I do not mean influence of an improper character, as far as the honour and integrity of the right hon. Gentleman are concerned; but I believe that misrepresentations had been made to poison his mind with regard to the Rajah of Sattara, and all persons who were concerned in his case, and who advocated his cause. I understand that Captain Cogan is a gentleman of very high honour, a man of very great ability in his profession, and who has discharged a great number of very important duties with the approbation of every person by whom he has been employed. He feels, therefore, very deeply the painful situation in which he has been placed by what has transpired in this House. He has written to me a letter upon the subject; and with the permission of the House I will read a few sentences from that letter, which I think will put the matter in a perfect and clear light, and satisfy the right hon. Gentleman that he was labouring under a misconception when he addressed the House on a former occasion, as well as the noble Lord the First Minister of the Crown. Captain Cogan states—

> "In 1835 the present Imaum of Muscat, with the view of cementing the friendship of the two States, wished to present the British Government with a teak seventy-four gun ship, which His Highness offered to Sir John Gore (the Naval Commander in Chief in India); but the Indian Government prevented Sir John receiving it. This circumstance disappointed the Imaum, when his Highness, in consequence, requested me (of whom he had a previous knowledge) to take his ship to England, and present her to his late Majesty; but as the Bombay Government would not sanction my doing so officially, I resigned my appointment as the Comptroller of the Docks and Civil Naval Establishment at Bombay, and applied for a furlough agreeably with the regulations, and arrived with the ship at Portsmouth in February, 1836, when she was duly received on behalf of the Crown by Sir John Hobhouse, then President of the Board of Control; and here commenced my intercourse with that right hon. Gentleman. His Majesty's Government being anxious to return a suitable present to the Imaum, one of the royal yachts was selected; in the propriety of which selection I entirely concurred, and had the honour of being appointed to command and convey the Royal present to his Highness. This duty I duly performed to the entire satisfaction of all parties. I then proceeded to join my service at Bombay, where I arrived in July, 1837; and, after a short period, obtained furlough to England, with the intention of resigning the Company's service, which I did in August, 1838. About this time I was appointed by his Highness the Imaum his political Agent in England; and although the usage of the British Court could not recognise me, as a British subject, in a representative character, yet I was informed that my reports and opinions regarding Muscat would be acceptable to Government. In the mean time the Imaum sent an Envoy to London to congratulate Her present Majesty upon Her accession to the Throne, when his Highness requested my best attention to his Ambassador, who was received with the distinction due to his rank by Lord Palmerston. During the Envoy's sojourn in this country, I arranged to accompany him to Muscat, which arrangement being known to the Government"—

(Captain Cogan, be it remembered, arranged with the Ambassador to go out to Muscat, of his own free-will, upon his private affairs, not being officially employed by the Government at all. The noble Lord must be well acquainted with that fact;)—

> —"Lord Palmerston, anxious to conclude a treaty with the Imaum, requested my services to negociate a convention."

This was a friendly service: Captain Cogan was not taken into the pay of the Government, and was not employed officially; it was only as a friend to perform a friendly service; and I think the noble Lord showed considerable tact and sagacity in employing such a person upon such a service, and not sending over a stranger. Captain Cogan states—

> "I consequently left England for that purpose in September, 1838, arrived at Bombay in December, 1839; and it was during my unavoidable attendance there, that the agents of the Rajah of Sattara solicited my good offices in the way of explaining to the authorities the nature of their case."

This was in Bombay, where he was really as a private individual, or as the Imaum's political Agent in this country; not being at all officially employed by our Government; not being taken into the service of the Government; not being in the pay of the Government; and holding no rank in fact under the Government. Captain Cogan states that those persons were

> —"prohibited from holding official intercourse, and were refused every document relating to the charges against their Prince."

This was the state of things at Bombay at that time:—

> "For listening to the statement of the Rajah's vakeels, I was visited with the displeasure of the Bombay Government"—

(The Government were determined that the Rajah should not have justice,)

> —"and more particularly of the political Secretary, Mr. J. P. Willoughby, who had for some time sustained, in relation to the Rajah, the inconsistent position of prosecutor and judge; and as principal adviser of the Government, doubtless obtained the favourable judgment placed on record respecting his own proceedings. The assertion ascribed to Sir John Hobhouse that I was at this period the paid servant of the Crown, is wholly incorrect, as that right hon. Gentleman may ascertain by a reference to the Foreign Office, from the records of which he will learn that I have never received a single farthing in the shape of remuneration or acknowledgment for the services rendered by me on the mission with which I was entrusted in consequence of my return to Muscat on my own private business. On the contrary, he will find that the expenses of that mission amounted to only 800*l.*, which sum was for the necessary charges incidental to the prosecution of my duty during a period of fourteen months. He will also ascertain, that on the conclusion of the treaty, my time was to be at my own disposal; and further, that I never realized the slightest pecuniary advantage at the hands of the British Government for the conveyance of the Royal Yacht to the Imaum."

He was not paid even for that service:—

> "In contrast with the treatment which I have since 1839 experienced at the Board of Control, during the reign of its present head, I would refer to the courtesy and respect with which I have been invariably treated by all parties connected with the Foreign Office, and especially by the distinguished Noblemen who have filled the office of Her Majesty's Principal Secretary in that department. Should any representations, such as are reported in the public prints to have been made by the right hon. the President of the Board of Control, have been really made, I have just ground of strong complaint; since I forwarded in 1840 to that Minister a copy of a letter addressed by me to the Foreign Department, in which I fully exonerated myself from the calumnious imputations cast upon me by interested parties; and at the same time placed in that same Minister's hands other documents demonstrative of the uprightness of the motives by which I was actuated, and the high estimation in which I was held by the most loyal, enlightened, and influential of Her Majesty's native subjects of Bombay. The allegation of entering into a mercenary compact with the Rajah of Sattara, is utterly without foundation, and is by me solemnly repudiated. I also conscientiously declare, that I never appropriated to my personal use a single shilling of the money of that much-oppressed Prince. But, Sir, even it had been so, I have yet to learn that it is a reproach to accept remuneration for honest and honourable services faithfully performed; or that those who represent the various departments of Her Majesty's Government in the House of Commons, are too disinterested and magnanimous to accept of the salaries annexed to the offices they fill. For seven years I have zealously laboured on behalf of the Rajah of Sattara, under a full conviction of his entire innocence, and that he has been the noble victim of one of the foulest conspiracies ever conceived by human malice, or allowed to triumph over human credulity. The reward of my labours has been to be called upon to make sacrifices of the most costly description, known only to myself and a few intimate friends. These, Sir, I can cheerfully submit to; but cannot allow my intentions to be impugned, or the Rajah's cause to suffer, by groundless charges against his friend. All I ask, either for myself or for the Rajah, is a fair inquiry; and when that is conceded, I will demonstrate, that never was an injured Prince defended by more disinterested persons, nor deposed by more wicked arts."

Now, Sir, I think the statement I have read, shows clearly that the right hon. Gentleman was deceived; for it is really evident from the allegations which this letter contains, that Captain Cogan has performed an important public service, for which he has received no reward at all. So far from being a paid agent of the Rajah, he has himself made very costly sacrifices, in order to support the cause of that injured man. I do trust, therefore, the right hon. Gentleman will admit he was labouring under an error when he made his former statement to the House; that he had been deceived by some circumstances which it is impossible for me to describe. Captain Cogan feels the attack very deeply; he feels that he has discharged an important duty from generous motives; and he thinks it too hard, that bad motives should be imputed to him, and that it should be considered he had been influenced in his conduct by mercenary motives.

Sir J. C. HOBHOUSE: I really must correct what the hon. Gentleman has said. I took particular care in alluding to that circumstance, which I said would be found in the blue books; for it is there I saw the circumstance mentioned, of an attempt to bargain for—I said I think 1,500*l.*, but I find it was 2,000*l.* and not 1,500; but I took particular care to guard myself, and I said, not that I think it a ground of complaint at all; I do not charge Captain Cogan with that, if he had done it. The labourer is worthy of his hire. What I complained of was, that while in the service of the Government, he mixed himself up with the affairs of the Rajah.

Viscount PALMERSTON: I suppose my hon. Friend is going to move for the other papers which stand upon the Notice, being a correspondence between myself and Captain Cogan. I have no objection to those papers being laid upon the Table, if my hon. Friend will add the words, "and copies of extracts." With regard to the point which has been adverted to, I am anxious to state how the matter really stood. I think I shall be able to do so, by reading a portion of the instructions to Captain Cogan, dated September 28th, 1838; and my hon. Friend will see how the matter stood.

> "Her Majesty's Government having decided to propose to the Imaum of Muscat, to enter into a convention with Her Majesty, for the purpose of promoting the commercial intercourse between the dominions of Her Majesty and those of the Imaum; I avail myself of the opportunity offered by your return to Muscat, for entrusting to you the negotiation of an arrangement to that effect with his Highness. I accordingly inclose a full power, under Her Hajesty's sign-manual, authorizing you to act as Her Majesty's Plenipotentiary in this matter; and I also inclose a draft of the convention, which Her Majesty's Government desire that you should offer for the acceptance of the Imaum."

At the end of the instructions it is said—

> "I have requested the President of the Board of Control to instruct the authorities of the East India Company at Bombay, to afford you any facilities you may stand in need of for the execution of the service on which you are engaged. The expenses which you may incur in this service will be defrayed by the public; and I have recommended to the Lords Commissioners of Her Majesty's Treasury the immediate issue to you of 300*l.*, on account of those expenses. You will observe the strictest economy in your disbursements; and on the conclusion of the service you will render to this office an account of those disbursements, accompanied with such vouchers in support thereof as you can supply."

This is the usual course with regard to persons employed on a special mission; there is no salary given, but their expenses are paid. [Mr. Wakley: Recollect it was a friendly mission.] There is no such thing technically as a "friendly mission." A special mission has regard to the object of that mission. A person may be employed upon a mission with a salary, or he may be employed, as Sir Robert Adair was, in Belgium. A person may be employed in what is called a special mission; in that case he has no salary, but the expenses are paid. It is a common arrangement, and was the one adopted in this case. Most undoubtedly, Captain Cogan was Plenipotentiary, and he was employed on the footing of a special mission.

Mr. HUME: The noble Lord will allow me to say, that Captain Cogan never received anything in the way of remuneration, as a paid salary. Allow me also to say, that the hon. Gentleman does not seem to be aware of the way in which the application was made to Captain Cogan by the Rajah of Sattara. He had been two years chairman of the quarter-sessions. He resigned that situation before he left the service. He received from the whole of the natives at Bombay an address; the natives had looked on Captain Cogan as a friend to protect them against oppression; therefore, when he was on his way home, having completed the mission and executed the service, it is rather too much to say he was not at liberty—as he only undertook the business of the Government at a time when he was going out on his own affairs—that he should be prevented from accepting any offer made him by the Rajah of Sattara. But when we get the documents, it will appear further that the first letter he received from the Rajah he carried to the Government unopened. The right hon. Gentleman forgot that the part Captain Cogan took was with the knowledge of Sir James Carnac; and there are letters to show it.

Sir J. C. HOBHOUSE: The hon. Gentleman is mistaken also in this case. As I think I mentioned before, Captain Cogan entered into these communications with the agents of the Rajah of Sattara, not merely in coming back from Muscat, but in going to Muscat; and that will appear by the papers.

Motion agreed to, and various other returns connected with the same subject were ordered.

PENNY STAMPS.

Mr. BROTHERTON moved for a Select Committee to inquire into the expediency of adopting a uniform Penny Stamp Tax, instead of the present high graduated scale.

The CHANCELLOR of the EXCHEQUER opposed the Motion, but promised to give the subject his best consideration between this and the next Session.

Motion withdrawn.

SIR R. PEEL'S COMMERCIAL POLICY.

Lord GEORGE BENTINCK: Sir, I hope the House will pardon me if, in asking for a return, to which it is not, I know, the intention of Her Majesty's Ministers to offer any opposition, I, in the present state of the revenue, enter into some explanations of the motives which induce me to ask for this return, and the result I expect to arise from the production of it. Sir, within these few days that which I may describe as a State Paper has been issued to the electors of Tamworth. In that Paper a statement has been set forth with regard to the effect and operation of those financial measures which have taken place in the course of the last six years, which, if left altogether unrefuted, might have, in my opinion, a very dangeous tendency at the coming elections. The general effect of that statement is, that by the reduction of duties to a large extent it is possible to relieve the people of this country of burdens amounting to no less than 7,625,000*l.*, with little or no loss whatever to the revenue. It is set forth in this address to the electors of Tamworth, that Sir Robert Peel, upon his advent to office, found the finances, under what is represented to have been the mismanagement of his predecessors, in a state of deficit amounting to 2,100,000*l.*; that in the year 1840, the Whigs attempted to restore this ruinous state of finances by a recourse to an increased duty of Excise and Customs, amounting to 5 per cent, and of assessed taxes to the amount of 10 per cent; but that the result of this procedure on the part of the Government was, that whilst they estimated the harvest to be derived from those increased duties of Customs and Excise, and assessed taxes, at 1,910,000*l.*, it in point of fact fell short by no less a sum than 1,160,000*l.*, and produced but 750,000*l.* Sir Robert Peel, in his address goes on to state that he had recourse to different measures, and that, putting aside the property tax, and applying his attention solely to the ordinary sources of revenue, in which are included Excise, Customs, Post Office, Stamps, and Assessed Taxes, believing that it was not possible to extend further the pressure of taxation upon articles of consumption with any reasonable prospect of an increased return, he had recourse to the reduction of duties on Customs and Excise. And he would have us believe that the result of his six years' Administration was, that, whilst he reduced taxes to the amount of 7,625,000*l.* there resulted upon the ordinary sources of revenue an apparent loss of no more than 363,000*l.*: but as he admits that the Whig Administration is entitled to take credit for 416,000*l.* of gain from the alteration of the sugar duties at the end of the last Session, whereby slave-grown sugar was admitted into the consumption of this country at a high differential duty —50 per cent above that on colonial sugar—he acknowledges that whilst the apparent loss was only 363,000*l.*, the virtual loss through his reductions must be reckoned as 779,000*l.* Now, it cannot be disputed that a greater financial conjurer never existed than Sir Robert Peel, if this were a fair statement of the result of his financial operations. And if it be permitted, on the eve of a dissolution, that such a statement as this should go forth to the country uncontroverted, I fear the necessary result—the natural result—will be, that the people of this United Kingdom will come to the opinion that they have nothing to do but to take off the taxes—that they have nothing to do but to follow the example of Sir Robert Peel, and abolish taxes altogether, and still be able to maintain the revenue. But the effect of the statement I am now going to make to the House, which, I believe, will, in the main, be borne out, will show that while Sir Robert Peel dealt with but 10,528,746*l.*, and left 37,388,254*l.* of the revenue untouched, there would have been a deficiency in that portion of the revenue with which alone he dealt, of no less than 4,925,319*l.*; but that this deficiency, which would have been the most serious and disastrous that ever occurred to any Minister, was compensated by the increase on those very articles, and by that same enhanced taxation of his predecessors on the 37,388,254*l.* of revenue which Sir Robert Peel left untouched. Sir, I cannot undertake to say that all my details are to a figure accurate, or that I have accurately divided every portion of revenue; but I will undertake to say that I have gone near enough for the objects of truth. I find that in the year 1841, there was no less than 37,388,254*l.* of the ordinary sources of revenue, with which, during the whole course of Sir Robert Peel's Administration, no legislation took place. The following are the principal sources of revenue:—

	Revenue in 1841.	Revenue in 1846.	Increase.	Decrease.
	£.	£.	£.	
Bricks .	443,018	638,422	195,404	
Paper .	586,219	791,991	205,772	
Soap . .	815,864	965,040	149,176	
Hops . .	69,055	286,265	217,210	

It is right here to state, that, as regards hops, some alteration was made by the late Administration in the Custom-house duties; but that is a totally different branch of revenue: I am now speaking of the Excise on hops. But again:—

	Revenue in 1841.	Revenue in 1846.	Incrse.	Decrse.
	£.	£.	£.	£.
Malt . . .	5,263,363	5,084,649		178,714
Licenses .	1,036,582	986,154		50,428
British Spirits . . .	5,178,175	5,949,151	770,976	
Assessed & Land Taxes	4,715,353	4,474,462		240,891
Post-horse Duty . .	199,864	179,831		20,033
Post Office .	1,495,540	1,963,857	468,317	

This item of revenue, however, Sir, requires some remark; for although the "Net Revenue" is so given in the accounts, yet the charges of management as regards the Post Office being deducted at a later stage of the accounts, the actual payment into the Exchequer will be found to be only 415,000*l.* in 1841, and 845,000*l.* in 1846. But to proceed:—

	Revenue in 1841.	Revenue in 1846.	Incrse.	Decrse.
	£.	£.	£.	
Stamps . .	7,276,360	7,675,921	399,561	
Spirits, Rum	1,063,087	1,219,535	156,448	
Tea	3,973,668	5,112,004	1,138,336	
Tobacco & Snuff . .	3,550,825	4,319,087	768,262	
Wine . . .	1,721,281	1,892,204	170,923	

In respect of two of these last items, let it also be remembered that, upon tea, this increase of 1,138,336*l.* has taken place notwithstanding the additional duty of 5 per cent put by the Whig Administration on this article of consumption, on which a duty of 200 per cent existed before; and that the case as regards tobacco and snuff is pretty nearly the same, the increase of 768,262*l.* on this one head of the revenue having accrued in spite of the 5 per cent duty added by the Whigs to a duty already varying from 600 to 1,200 per cent. The result of all this is, that the revenue which was not touched by Sir Robert Peel's legislation in the course of his six years' Administration, rose from 37,388,254*l.* on the 5th of January, 1842, to 41,538,573*l.* on the 5th of January, 1847; being an increase upon this source of the revenue of no less than 4,150,319*l.* This shows, notwithstanding the 5 per cent additional duty laid on by the Whigs upon the Customs and Excise, and notwithstanding the 10 per cent additional duty laid on the Assessed Taxes by the same Government, an increase of 11½ per cent upon that branch of the ordinary revenue with which Sir Robert Peel's Administration did not meddle. I take the statement of the ordinary revenue, with the losses and gains, as I find it in the address to the electors of Tamworth. It is contended that the ordinary revenue was found to be 47,917,000*l.* when Sir Robert Peel's Administration commenced in 1842. Well, then, deducting 37,388,254*l.* from this sum of 47,917,000*l.*, there remains to be dealt with the sum of 10,528,746*l.*; and this is the source of revenue with regard to which alone Sir Robert Peel, in the course of his Administration, made his financial experiments. And what has been the result? The result is, that while, as I have told you, the 37,388,254*l.* with which he did not meddle, grew, by the 5th of January, 1847, to 41,538,573*l.*, the 10,528,746*l.* upon which Sir Robert Peel tried his financial reform dwindled down by the 5th of January, 1847, to 6,019,427*l.* Well, Sir, I then have further, by his own admission and acknowledgment, to deduct 416,000*l.*, which is fairly to be attributed to the measure of the noble Lord opposite (Lord John Russell) with reference to sugar duties, and but for which this sum of 6,019,427*l.* would have dwindled down to 5,603,427*l.*, showing a loss to the revenue upon that part of it upon which he attempted his financial experiments of no less than

4,929,319*l.*—or 44⅓ per cent. And when you bear in mind, as I have stated, that this sum of 10,528,746*l.* forms but two-ninths of the entire ordinary revenue, just see what would have been the condition of the country if Sir Robert Peel had tried his experimenting hand upon the whole of what are called the ordinary sources of revenue. Sir, the result would have been, that this defalcation upon the whole revenue would have been no less than 20,163,935*l.*, which must have been recovered by a most exorbitant property and income tax. Well, Sir, but perhaps it will be argued, that, though it is true that Sir Robert Peel lost a great revenue upon those items with regard to which he legislated, still that, "by taking off the weight" —that is the expression—"which hung upon the springs of industry," he had given such an impulse to the great staple manufactures of this country, that he occasioned an increased consumption in all other articles—the necessaries of life, and the luxuries consumed by those numerous bodies of the people engaged in the great staple manufactures—and that thus it was he indirectly regained all he had primarily lost through these reductions; and besides, if it were true that the dead loss upon cotton and wool amounted to 658,360*l.*, still, that this loss was, nevertheless, amply indemnified by the great impulse given to cotton and woollen manufactures; whilst, in like manner, when the duty was taken off the flax and silk manufactures, a similar impulse was given to those trades. Now, let me examine this part of the question. I have before me a comparative statement of the declared value of exports in the four great staple articles of our manufactures for the first five months of the year 1845, with the first five months of the present year; and what is the result? The result (and these first are the five months before that large revenue previously derived from cotton was sacrificed) will appear in the following statement:—

"Declared value of exportation in the first five months of 1845:—

Cotton manufactures and yarn		£10,289,868
Linen	,,	1,750,516
Woollen	,,	3,464,086
Silk	,,	297,721
		£15,802,191
Glass		215,639

"Declared value of exportation of the first five months of 1847:—

Cotton manufactures and yarn		£9,820,772
Linen	,,	1,495,636
Woollen	,,	3,110,568
Silk	,,	404,502
		£14,831,478
Glass		131,739

"Diminished value of exports:—

On the four great staple manufactures	£970,713
On Glass	83,900
	£1,054,613"

The result of all this is, that the aggregate value of the amount exported of these articles in the first five months of 1845 was 15,802,191*l.*; whilst, in the first five months of 1847, it fell to 14,831,478*l.* The House, from this statement, must see what was the effect of the financial changes brought about by the late Minister: but I hope you will not forget the fond anticipations in which Sir Robert Peel indulged with regard to the effects which he held must necessarily arise from a repeal of the duties on glass. When it was announced that the duties on glass were to be removed, the intimation was ushered in with a loud note of preparation. The country was told that it would be utterly impossible to estimate the endless variety of purposes to which glass might then be applied; among others, that the springs of our watches were to be made of glass; and, mounting from small things to great, iron was to be superseded, and, instead of the water of our great towns being carried through iron tubes, it was hereafter to be conducted through pipes of glass. And, as far as foreign exports of it were concerned, why there was to be no limit to them. We were to supply, if not the whole of the world, at least the whole of Europe, with glass. Now, Sir, how stands the matter? I find that the exports in glass amounted, in the first five months of 1845, to the declared value of 215,639*l.*; and that they fell off, in the first five months of 1847, to 131,739*l.* The result of the whole of this statement is, that there was a falling off upon the declared value of the four great staple manufactures, together with glass, amounting to 1,054,613*l.* Now, after that statement, I think it cannot be argued by the most sanguine or subtle financier that the abolition of the duties on cotton, on wool, on flax, and upon glass, contributed to the increased revenue upon those articles of general consumption of which I have before spoken. There must be some other cause than that. Well then, Sir, we may, perhaps, be told that it was from the reduction of the duties on brandy that this increased revenue arose. French brandy is one of the articles upon which there appears to be a considerable loss to the revenue. The receipts of duty on French brandy fell from 1,329,082*l.* in 1842, to 1,165,456*l.* in 1846; showing a decrease of 163,626*l.*; and it will hardly be argued that by taking off 7*s.* 10*d.* of the duty upon brandy, and thus making brandy cheap, and encouraging its consumption in preference to wine, rum, and British spirits, on which you left the high duties undiminished, you indirectly induced this greater consumption of high taxed wine, rum, and British spirits; yet, whilst you lost on brandy, 163,626*l.*, you gained on wine, on rum, and British spirits, 1,098,347*l.* Yet, as I have shown the House, foreign wines, rum, and British spirits are three of the heads of revenue which, being left untouched, have very largely increased in consumption. Another article upon which the duties were reduced, and on which a large revenue has been lost, is that of timber. Now, Sir, I think it can hardly be pleaded that the large increase of between 400,000*l.* and 500,000*l.* on the Post Office duties, and the increased duty of 205,772*l.* upon paper, can have grown out of the reduction of the duties upon timber. Well, Sir, but amongst the various alterations in these duties, to which so much success is ascribed, is the removal of the duties not only upon raw materials used in manufactures, but on all dyestuffs, oils, and various other articles of a similar description; but as these are articles of reduction which apply only to the four staple manufactures of the country, and as I have shown that the exportations of the staple manufactures have not increased, it cannot be pleaded that the removal of any of the duties connected, in dyeing, or in any other way, with manufactures, can have been instrumental in increasing the consumption. Sir, what was totally left out of view, I apprehend, was the gracious and merciful interposition of Providence, which happened as soon as the Whigs went out of office. I do not wish to say anything derogatory to the Whigs; but certainly, no sooner did the Whigs go out of office, than we were blessed with three successive fine harvests, and with excellent cotton crops; and I apprehend that it was not the five per cent additional that the Whigs placed on the Customs duties, or the ten per cent additional on the assessed taxes, that checked the prosperity of the nation, and blighted the growth of the revenue, but that the cause why the revenue did not prosper in 1841 and 1842 was that we had then had three successive bad harvests and a bad cotton crop to boot. Well, Sir, I have spoken of the interposition of Providence, which in our previous discussions has been altogether passed over; but, Sir, I may venture to say that there was a not less powerful cause at work, and that was that, instead of 150,000,000*l.* being lent, as my noble Friend the Secretary of State for Foreign Affairs informed us the other night, in loans to foreign countries, of which neither capital nor interest has been repaid, nearly 100,000,000*l.*, have, in the course of these six years, been spent at home upon railway enterprise. And you will find the consumption of tobacco, the consumption of tea, and of sugar, by those employed at home on railway enterprise, to be the true cause of the elasticity of the revenue, and not, Sir, the often-boasted effects of these alterations of the financial and commercial policy of the country. Indeed, these boasts often remind me of that fable of the two flies which is so well told by the poet when he speaks of the flies who ascribed all the dust kicked up by the carriage on which they were riding as the result of their own great exertions. Prior, I think, tells the tale thus:—

> "'Say, sire of insects, mighty Sol,'
> A fly upon the chariot pole cried out,
> 'What blue-bottle alive
> Did ever with such fury drive?'
> 'Tell, Beelzebub, great father, tell,'
> Says t'other perched upon the wheel,
> 'Did ever any mortal fly
> Raise such a cloud of dust as I?
> My judgment turned the whole debate,
> My valour saved the sinking state.'"

That, I think, is a fair description of the boasts of the great rival free-traders of modern days. But, Sir, in bringing forward this Motion, and thus trespassing on the attention of the House, I hope to be excused on the ground of the result of my Motion; for if, at the eve of a general dissolution, the political doctrines to which I have alluded should go forth, on such high authority as the right hon. Gentleman the Member for Tamworth, uncontradicted to the elections, what must be the necessary result? Why, you will have a far louder call for free trade in the next Parliament; you will not be able to resist the call for the entire repeal of the tea duties, for the entire repeal of the tobacco duties, for the removal of the window tax, and every other tax, not excluding the malt tax, and the hop duties and the soap tax, which are taxes so much more onerous to the people than the taxes on cotton, on French brandy, on timber, on wool, on oils, and on dyestuffs, which have been removed; and there will be a House of Commons returned in which the Members will come again pledged to their constituents to repeal all these taxes, and they will either put themselves in the position of breaking faith with those who sent them to Parliament, or of leaving the main sources of the revenue in a state unequal to meet the demands of the public creditor. Sir, I am one of those who seek for the repeal of the malt tax and the hop duties. I am one of those who think that the Excise duties ought to be taken off. But, Sir, I do not pretend that you can repeal the malt tax, or the hop duties, or remove the soap tax, without commutation for other taxes. I will not delude the people by pretending that I could take off 7,625,000*l.* of taxes, without replacing them by others, and not leave the nation bankrupt. But, Sir, I think these reforms have been in a mistaken direction; I think that revenue duties on all foreign imports ought to be maintained, and that a revenue equal to those Excise duties which I have mentioned can be levied upon the produce of foreign countries and of foreign industry without imposing any greater tax than one that shall fall far short of Mr. Walker's "perfect revenue standard of 20 per cent." I say that by imposing a tax far less than 20 per cent, by imposing one of 12½, or at most of 15 per cent *ad valorem* upon all articles of foreign import, a revenue might be derived far less burdensome to this country, than than of Excise—a revenue of which the burden would be largely shared in by foreign countries, and in many cases paid altogether by foreign countries—a revenue such as would furnish a sum of money that would enable those great items of Excise duties, the malt tax, and the hop duties, and, with such continuing prosperity as we have had, the soap duty too, to be repealed, without any risk to the public revenue. Sir, I thank the House for having so long listened to me; and I will now conclude by begging leave to move for this return, which, though not exactly in the terms of my Motion on the Paper, is still comprehensive enough to carry out my object. I have drawn up the return in the terms suggested by Her Majesty's Chancellor of the Exchequer:—

> "Return of the net amount of Duty received upon each article paying Customs Duty to the amount of 1,000*l.* or upwards, and of all other articles paying Customs Duty collectively, in each of the years ending the 5th day of January, 1842, and the 5th day of January, 1847, divided into classes A and B, (A containing those articles in the Duties on which no alteration has been made; B containing those articles the Duties on which have been altered), with the increase or decrease of receipt on each article respectively, and distinguishing, in the year ending the 5th day of January, 1847, the increase or decrease in the amount of Sugar Duties received before and after the 18th day of August, 1847, when the Sugar Duties Act, 9 and 10 Vic. c. 63, was passed.
>
> "Similar Return for Duties of Excise, Stamps, Taxes, Post Office, Crown Lands, Miscellaneous.
>
> "Return of the declared value of the Exports of the four great articles of our staple Manufactures, viz.: Cotton Manufactures and Cotton Yarn, Woollen Manufactures and Woollen Yarn, Linen Manufactures and Linen Yarn, Silk Manufactures, in the five months ending the 5th day of June, 1845, and in the five months ending the 5th day of June, 1847; together with an Abstract of each of the foregoing Returns."

The CHANCELLOR OF THE EXCHEQUER was not prepared to follow the noble Lord into the various details by which he had supported the arguments contained in his speech, nor did he think that any good would arise from such a discussion at such a time. He had no doubt that his noble Friend had, speaking generally, very accurately stated the various amounts of revenue at the different periods to which he had referred. The returns moved for, however, would be shortly before the House, and then every hon. Member would be enabled to test the accuracy of his noble Friend's statements. His noble Friend had also gone into a considerable discussion on the principles of free trade, and had alluded to a letter addressed by a right hon. Baronet to his constituents respecting his commercial policy; and his noble Friend would, probably, through the means of his speech, put before the public his views on the same subject, and the public might consider the letter and the speech as manifestoes on the two sides of the question, otherwise he could not think that any great benefit could arise from such a discussion at that period of the Session. He could not refrain from observing, however, that a decrease of revenue must be expected, of course, on those articles upon which the duty had been considerably reduced; and it would be perfectly absurd to expect an increase of revenue on articles where the whole duty had been taken off. It was expected, of course, in all matters of that kind, that by relieving parties from duties of one kind, you enabled them to consume other articles, so as to make up the deficiency. His noble Friend had truly stated that the late Government had had the advantage of good harvests; and a portion of the increased consumption of the country was no doubt owing to the material prosperity which usually followed a good harvest; but his noble Friend had entirely forgotten, whilst comparing the five months of the year 1845 with five months of the year 1817, that the harvests in the latter year were somewhat in the same unfortunate state as in 1841. Having said thus much, he hoped that no long discussion would be raised on the question. He was prepared to give the returns asked for by his noble Friend, although he did not concur in his conclusions; and he again trusted that the speech of his noble Friend, in answer to a manifesto published elsewhere, and which perhaps his noble Friend might have answered as effectually in an address to the electors of Lynn, would not be the means of leading to a prolonged discussion.

Mr. HUME considered that the noble Lord the Member for Lynn's statement was of a partial character. Let them take the revenue of the year 1842, for instance, recollecting that the right hon. Baronet's manifesto extended over a period of four years. It appeared from a Parliamentary Paper moved for by Mr. Baring, numbered 260 of the Sessional Papers, that the revenue for the year 1842 amounted to 50,979,595*l.*, deducting all drawbacks, deductions, and repayments. In point of fact, that was the net revenue for 1842. Well, what was the revenue this year? They would find by reference to authentic documents that it reached 57,589,000*l.*; but the income tax amounted to 5,464,000*l.*, so that if they deducted that sum, there would still be left a large balance in favour of the year 1846-7, notwithstanding the fact that seven millions and a half of taxation had been taken off articles of almost daily consumption, thereby affording increased means of employment, and cheapening the price of those articles which entered most largely into the consumption of the labouring and agricultural classes. Deducting the income tax, and excluding all consideration of the China money, the net revenue of 1846-47 showed an increase over the net revenue of 1842 of 1,445,000*l.*; and no result could be more satisfactory. The additional imposition of taxation had fallen on the property of the country; and the whole object of the reform of the Tariff was to remove taxes on articles required for manufactures, and for consumption by the mass of the people; to stimulate employment, and give them a higher and more remunerative scale of wages. The reform of the Tariff, recently effected, unquestionably had done this; but there was no doubt that the surplus net revenue of 1846-7 over that of 1842 wss aided by the development of railway enterprise and the increase which had taken place in the rate of wages. Without wishing to prolong the present discussion, he could not avoid saying, that he considered the noble Lord the Member for Lynn had altogether failed in making out his case. At the same time, he would observe, that he should be most happy to see the duties removed from malt, hops, and soap. He advocated the removal of all Excise duties, and was perfectly prepared to substitute the income tax in their stead. He thought he had demonstrated the utter failure of the noble Lord's arguments, that the revenue of 1846-7 exceeded that of 1842, notwithstanding a deduction of nearly seven millions and a half on the taxation of articles used by the masses of the people, and that the experiment made in reforming the Commercial Tariff had proved eminently successful.

Mr. BANKES had no desire, in accordance with the expressed wish of the right hon. Gentleman the Chancellor of the Exchequer, to prolong the discussion to which his noble Friend's observations had given rise. His noble Friend thought it right to make a statement answering the manifesto issued elsewhere by the right hon. Baronet the Member for Tamworth, and so the matter stood; but when the hon. Member for Montrose asserted that his noble Friend the Member for Lynn had made out no part of his case in reply to that document, he must be allowed to say that he considered the part of the case which the hon. Member for Montrose thought not proved, had been most clearly established; and if the hon. Gentleman had remained in the House during the delivery of his noble Friend's speech, instead of going out to procure information as he had done, and returning loaded with that information, possibly he might have inclined to a similar opinion. The noble Lord went most minutely and in great detail into that part of the case to which the hon. Member for Montrose had adverted. The noble Lord the Member for Lynn stated that the right hon. Baronet the Member for Tamworth had taken credit for the general success of his plans; whereas the fact was, that the amelioration of the revenue had arisen from the returns of those taxes with which the right hon. Baronet the Member for Tamworth fortunately did not deal, and that the failure of the revenue had occurred in that portion of the taxes with which the right hon. Gentleman did interfere. That was the statement made by his noble Friend—a statement which he would not attempt to weaken by proof, or by repeating those facts with which his noble Friend had demonstrated its complete accuracy. There had been an increase in that portion of the revenue—his noble Friend conclusively showed, and he cheerfully concurred in the demonstration—with which the right hon. Baronet had not interfered or tampered; and that increase, he admitted, was augmented by the increased consumption of articles arising from the effects of railway enterprise. In point of fact, that was the true and simple mode of accounting for the improved condition of the country. Let it be recollected, when he was speaking upon the subject of trade, that they had been promised as a kind of set-off against the additional imports which the removal of restrictive duties encouraged, a corresponding increase in the exports of their domestic manufactures. Great, however, was their regret and alarm when they found that that which was promised to be so useful a result, did not follow.

MR. GOULBURN observed, that he had not heard any portion of the noble Lord's speech, with the exception of the last sentence, as he had no idea that it was the noble Lord's intention to have made a speech on the occasion of moving for unopposed returns. He was aware that the noble Lord had a Motion on the Paper, and had asked the Chancellor of the Exchequer whether he anticipated any debate; and that right hon. Gentleman had told him he did not, as it was not his intention to oppose the return. Under these circumstances he had left the House. Whatever triumph the noble Lord had achieved by his array of figures, and the attack he had made upon the right hon. Gentleman lately at the head of the Government, would be for him to enjoy after the papers had been moved for; but he (Mr. Goulburn) assured him that whatever course his right hon. Friend and himself had adopted, had been taken with the desire to promote the greatness and the prosperity of the country. He agreed with his right hon. Friend the Chancellor of the Exchequer, that all discussion upon the subject at this moment would be inopportune, and consequently he would not trespass further on the attention of the House.

MR. WILLIAMS expressed his approval of the free-trade measures of the Government, which he contended had conspired to increase the comforts of the people, without injuring the revenue of the country. There had been a reduction since 1818 of 27,000,000*l*. of taxes, and yet the revenue had fallen off only to the extent of 9,000,000*l*.

Returns ordered.

BISHOPRIC OF MANCHESTER.

The Bishopric of Manchester Bill was reported. On the question that it be read a Third Time,

MR. BORTHWICK said, he wished to bring under the notice of the noble Lord one of the provisions of this Bill, with a view to its material alteration. The second clause as it now stood, provided that the future bishops of a majority of the existing sees, should in rotation be excluded from seats in the House of Lords. From this enactment, inferences had been drawn of a nature which would imply the ultimate diminution or extinction of the seats of bishops in the House of Peers. This was certainly not its intention, and he trusted would never be its effect. But if he rightly understood some words which fell from the noble Lord yesterday, he (Lord J. Russell) was in some doubt whether it would not be better to exclude permanently the new bishops from the House of Peers, than to adopt this principle of rotation. This was certainly his opinion. He would consent, though not without reluctance, that the new bishops should not sit in the House of Peers. The right hon. Baronet the Member for Dorchester had indeed said that a bishop who was not a Spiritual Peer was an imperfect bishop. The right hon. Gentleman must have meant this politically, for with respect to all purely ecclesiastical purposes, all the ends of the Church, strictly so called, a bishop was as perfect who did not, as one who did, exercise legislatorial functions in the State.

But he thought the speeches of the right hon. Gentleman the Member for Bute, and of the hon. and learned the Recorder of London, were conclusive in the point that the existing sees, hallowed by a prescription much more ancient than that House, or than any other part of the constitution —a prescription of more than ten centuries, ought not—both with reference to the prerogative of the Crown and to the constitution—ought not to be disturbed. It was dangerous to tamper so suddenly with things so sacred. He would therefore, unless the noble Lord would take the matter in his own hands, move on the third reading to-morrow, that so much of Clause 2 should be omitted as enacted that the future bishops of certain existing sees should be in rotation excluded from seats in the House of Peers.

Lord J. RUSSELL said, he must have expressed himself very imperfectly, if he had led the hon. Gentleman to believe that there was any doubt upon his mind as to which of the two modes referred to was the better. He thought the rotation system was decidedly preferable to that of excluding one of the bishops permanently; and he had no intention of altering the clause to the contrary.

Mr. STAFFORD O'BRIEN said, that he and others on that side of the House had abstained from speaking on the previous stages of this Bill, feeling that the progress of the Bill was more important than mere speaking; and, with reference to the taunts which had been thrown out as to their silence, he begged, as the practical result of their silence, to point to the Bill at its present stage. The suggestion of the hon. Member for Evesham, instead of preventing change, would, if adopted, introduce a still greater change. We had the principle of rotation already in operation in Ireland; but the principle of permanent exclusion had never been in operation either in England or Ireland. He believed that the Bill, as it came down from the House of Lords, had virtually received the assent of the bench of bishops. He should, therefore, cordially support the Bill as it stood, and resist every proposition for its alteration.

Sir J. GRAHAM said, that considering the thin state of the House on that occasion—considering, also, the period of the Session, and the discussions which this Bill had already undergone—he was unwilling to expatiate again on the subject. The question for consideration was not what the bishops thought of it, or whether they would sanction the principle; but whether the measure, in its present shape, would advance the spiritual welfare of the Church. He had deliberated, carefully and anxiously, on this point. His individual vote was of little consequence, and he was not prepared now to resist the further progress of the Bill; but when the third reading was moved, he would very briefly state the reasons which would induce him to give his vote against it.

Mr. HUME wished the Bill to be printed, that they might see the Amendments.

Sir J. GRAHAM did not think it at all necessary that the Bill should be reprinted, as the Amendments were perfectly intelligible to every one; and, at this particular period, such an interruption would be exceedingly inconvenient. Those words in the preamble referring to the addition of three other bishops besides the Bishop of Manchester had been withdrawn, with the consent of the noble Lord; and there remained only a clause to create the bishopric of Manchester, the diocese of St. Asaph and Bangor remaining separate, and the Bishop of Manchester not possessing the right to a seat in the House of Lords. He hoped his hon. Friend would not press to have the Bill reprinted.

Lord J. RUSSELL had no objection to reprinting the Bill, except on the ground that it would delay the progress of the measure another day; and he could not allow the third reading to be postponed.

Mr. GOULBURN had refrained from expressing his opinion on the measure in Committee, in order to avoid every delay to its progress; and he only rose now to beg the House to be particularly careful that in an arrangement of this kind they did not arrogate to themselves a jurisdiction which they did not possess. It was essentially necessary that before this Bill were allowed to pass into law, the authority of the Crown for entertaining the measure should be distinctly stated in that House by one of Her Majesty's Ministers. It was extremely important that this point should not be lost sight of. The ancient forms of the House deserved always to be respected; they gave stability to institutions which every one valued; and the noble Lord would perhaps say, when he would take the opportunity of intimating Her Majesty's consent.

Lord J. RUSSELL had informed the Speaker, that he should be prepared to convey the consent of the Crown to entertaining this Bill, and he had understood from the right hon. Gentleman that that consent might be stated at any stage of the measure.

Mr. HENLEY agreed with the right hon. Gentleman, that the fact of the bishops having given their consent to this Bill was of no importance at all. There had been such things as Bills sent down from the Upper House proposing that no more Peers should be created; and this measure could not come to them with any recommendation, because the parties principally concerned had offered their sanction to the principle involved. He did not see the necessity of such a Bill at this time, even if it were not objectionable at any time. There existed a statute as yet unrepealed, enabling bishops to call suffragans to their assistance in discharging onerous spiritual duties; and if they acted on that law, they relieved themselves at once from all the difficulties suggested by a Bill of this kind. The position of the bishops was already anomalous enough; and if they deprived members of the episcopate of the right to sit in the House of Lords, they took away a prerogative of the Crown in a matter of paramount consideration, and opened up the spiritual constitution to the invasion of most dangerous abuses. He wished things to remain as they were, and he therefore protested against this Bill.

Mr. WAKLEY inferred, from the remarks of the hon. Gentleman, that he feared if one bishop were lost to the House of Lords, and the new principle thus admitted, a great many others would follow. Now he held the contrary opinion, and he believed if all the bishops were removed from the House of Lords, it would be for the advantage of the Legislature, the country generally, the cause of the Church, and the cause of religion. He was glad that the new doctrine had been admitted; it was the redeeming quality in the Bill, that it was based on so sound and excellent a principle. He was as sincere a friend of the Church as any hon. Gentleman; and he believed conscientiously that the bishops themselves would be eventually benefited by being restricted from political strife, and confined to the sacred duties of their proper office. They would thus be relieved from an invidious position, and enabled to serve society much more effectually than at present. And he trusted the noble Lord would now be content with the creation of this one bishopric: to propose the erection at any other time of new bishoprics would give great offence to the country; and if he had funds from Church property which he did not know how to dispose of, let him leave the bishops as they were, and endeavour to ameliorate the wretched and half-pauperized condition of the working clergymen. There were thousands of clergymen possessing incomes not exceeding 100*l.* a year who were expected to maintain the rank and station of gentlemen; and it was in the highest degree discreditable to Parliament that, having funds available to the increasing of Church efficiency, they did not at once devote them to such persons.

Bill to be read a third time and printed.

BANKRUPTCY AND INSOLVENCY BILL.

On the Question that this Bill be now read a Third Time,

Mr. J. STUART said, it was his intention to oppose the third reading of the Bill; and he sincerely wished he could impress upon the Government the importance of the proposed measure, and the necessity of more fully considering its details. It was a Bill which ought not to be lightly passed, or upon trifling considerations. The great object it proposed was to abolish the Court of Review; and by the third clause of the Bill, they were about to give the authority of Acts of Parliament to every subsisting order of the Court of Review in acts of bankruptcy. The Act was framed in such a way as to render it impossible to put it into proper shape this Session. The principle laid down in the first three clauses was, that the jurisdiction of the Court of Review should be abolished. But what good was to be the result of this alteration? We should not get a better Judge; for we had at present an able and experienced Judge, and could not expect a better. Then, if it were urged that the Court of Chancery had not enough to do, he maintained the contrary opinion, and asserted the Court had already more than enough to do, It was urged that the abolition of the Court of Review would get rid of fees that were a burden on the suitor. But, so far from this evil being remedied by the alteration, he found that the fees taken in the Court of Review were to be continued when the business was removed to the Court of Chancery. There was no pretence for saying that any saving by the change would be gained, either by the suitor or the litigating public. Now, as there was a Committee sitting at the present moment on the subject of fees, he thought it would have been right to have waited until the Committee had given their report before the stipulation about fees had been inserted. He had not heard any reason, good or bad, for restoring the jurisdiction of the Bankrupty Court again to the Court of Chancery. The change was made without due consideration, and the only result would be inconvenience to all parties, and no saving to any one; but the contrary. These were his objections to the first part of the Bill. There was a growing opinion that distinctions between insolvency and bankruptcy should be done away with. The Bill, however, did not favour this opinion. The proposition in the Bill to take from the Bankruptcy Court certain powers with respect to the administration of assets, and to throw those powers back into the Insolvent Court, was in the highest degree faulty. He contended this was throwing back the law into its former confusion, and making separate jurisdictions for that line of business which ought to have only one common jurisdiction. With respect to the proposal to extend the jurisdiction of the county courts, that was a question open to discussion. He had never heard any good ground stated for this proceeding; but he could state very good grounds for not transferring the jurisdiction now exercised by the Court of Bankruptcy to the county courts. One of his reasons was because these county courts were hardly yet constituted, and had no settled or regulated mode of proceeding. The first four sections of the Act were full of absurdities and incongruities, as he had shown; and this afforded a sufficient reason for asking the House to pause before it passed the Bill. The thousand rules of the Courts of Chancery of late established were nothing more than stumbling-blocks of justice; and this evil would be increased in another direction if the proposal with respect to the county courts were suffered to pass. The only argument he had heard used in favour of this Bill was the saving of the expense of the Bankruptcy Commissioners on their circuits; but that would be an advantage that would be dearly purchased by the passing of the measure. It was said that there would be no great amount of property from insolvent debtors received. Within the last ten days, he knew that the property of an insolvent had been sold for 50,000*l*. Let the House look at the strange confusion of matter comprised in this Act, involving subjects too many to be involved in one Act; let them recollect, also, that the subject of bankruptcy and insolvency could not long remain as at present. Instead of such cobbling legislation as we had had from year to year, let us have such Acts as that framed by Lord Henley, after years of consideration —the 6th George IV.—regulating the rights of creditors, and of the bankrupt. It was an inconsiderate piece of legislation, mixing up three subjects that ought not to be included in one Bill; or, if included, it ought to be done on a more extensive view of the subject. The hon. and learned Member concluded by moving that the Bill be read a third time that day three months.

Mr. BODKIN had heard it rumoured that the real object of the Bill was not the avowed one. He had inquired into the matter himself, and he was satisfied the rumour was without foundation. He should support the third reading.

The ATTORNEY GENERAL had always understood that the opposition to the Bill was confined to the first three clauses; two divisions having been taken on those first clauses, the rest of the Bill passed without a single observation: though the hon. and learned Gentleman was present, he made no objection to the rest of the Bill at the time. If it was necessary all changes in the administration of the law should be considered years before they were made, he admitted that this measure had not received sufficient consideration; but it was the result of a mature inquiry before a Committee of the House of Lords, was recommended by the report of that Committee, and had the sanction of the highest legal authority. One great object of the Bill was to abolish the Court of Review. He judged of the results of the former measure, which empowered the Lord Chancellor to appoint four Judges in Bankruptcy, by its result; that result was that the Judges had nothing to do. The business was done by one of the Vice Chancellors, sitting in a nominal court, which by the present Act would be abolished. The Lord Chancellor would now be enabled to give the bankruptcy business to either of the Vice Chancellors he might think fit; in some cases, such a tranfer of the business was very expedient and desirable. The fees would remain subject to the same regulation as if the Court of Review continued to exist, should the Committee of Inquiry into the subject of fees think they ought to be altered. It was stated there were no grounds for the measure; he apprehended there were quite sufficient grounds for it in the fact that the Court of Review had fallen into disuse. The Bill would do away with an anomaly to which there was also this objection—that as long as the court existed its officers must be kept up, and expectations would be formed that might be an obstacle in the way of any future change in the law of bankruptcy. He must oppose the Motion of the hon. and learned Gentleman.

SIR J. GRAHAM, on a former occasion, was under a misapprehension when he mentioned that he had reason to believe that Lord Brougham was not favourable to the transference to the Court of Chancery of the jurisdiction now exercised by the Court of Review. The noble and learned Lord had assured him that he was wrong on this point; and the noble and learned Lord claimed the proposition as his own. He had listened to the reasons in favour of the transference; but he confessed that he could not regard them as satisfactory. He had the authority of Mr. W. Ellis, who was on the Commission which recommended the severance from the Court of Chancery of those duties exercised now by the Court of Review, for saying that he still entertained his original opinion as to the impolicy of connecting the jurisdiction with the Court of Chancery; and he had every reason to believe that his Colleagues in that Commission shared his opinion on that point.

On the question that the word "now" stand part of the Question, the House divided:—Ayes 45; Noes 18: Majority 27.

List of the AYES.

Anson, hon. Col.
Antrobus, E.
Berkeley, hon. Capt.
Blackburne, J. I.
Bodkin, W. H.
Brotherton, J.
Brown, W.
Buller, C.
Cowper, hon. W. F.
Craig, W. G.
Denison, J. E.
Dodd, G.
Dundas, Sir D.
Ebrington, Visct.
Etwall, R.
Ferguson, Sir R. A.
Fox, C. R.
Goulburn, rt. hon. H.
Graham, rt. hon. Sir J.
Grey, rt. hon. Sir G.
Grosvenor, Lord R.
Hallyburton, Lord J. F.
Hatton, Capt. V.
Hobhouse, rt. hn. Sir J.
Jervis, Sir J.
Labouchere, rt. hn. H.
Macaulay, rt. hn. T. B.
Maule, rt. hon. F.
Morpeth, Visct.
Morris, D.
Norreys, Sir D. J.
O'Connell, M. J.
Paget, Lord A.
Palmerston, Visct.
Parker, J.
Philipps, Sir R. B. P.
Rich, H.
Russell, Lord E.
Russell, Lord C. J. F.
Rutherfurd, A.
Sheil, rt. hon. R. L.
Somerville, Sir W. M.
Thornely, T.
Ward, H. G.
Wood, rt. hon. Sir C.

TELLERS.

Hill, Lord M.
Tufnell, H.

List of the AYES.

Bankes, G.
Bentinck, Lord G.
Bentinck, Lord H.
Boldero, H. G.
Bramston, T. W.
Fox, S. L.
Frewen, C. H.
Fuller, A. E.
Henley, J. W.
Hudson, G.
Law, hon. C. E.
Neeld, J.
Palmer, G.
Rashleigh, W.
Taylor, E.
Trotter, J.
Vyse, H.
Waddington, H. S.

TELLERS.

Borthwick, P.
Stuart, J.

SIR J. GRAHAM then moved the insertion of the following clause:—

"And be it Enacted, That no Judge of any County Court who has been appointed, or who shall hereafter be appointed to that office, under or by virtue of the hereinbefore recited Act, passed in the 10th year of the reign of Her Majesty, intituled, 'An Act for the more easy recovery of Small Debts and Demands in England,' shall, during his continuance in such office, be capable of being elected, or of sitting as a Member of the House of Commons."

SIR R. PRICE objected to the clause, and proposed that the judges of the metropolitan county courts should be excluded from its operation. He moved the insertion of the words, "save and except any judge of the county courts in the metropolitan district."

SIR J. GRAHAM thought the hon. Gentleman could not have heard what was stated by the Attorney General the other night, when he stated that there was great doubt whether, by the operation of the law as it now stood, these judges could have seats in Parliament, though it was not the intention of the Government that they should have seats in that House. It would be shorter and much better for the hon. Baronet to introduce the name of the Judge he proposed to have a seat in the House *nominatim*. If there were any persons who possessed power of a most suspicious kind in respect to election purposes, they were the judges of the county courts, who might (he did not say would) be indulgent to debtors, and punish or favour creditors. If the House had the slightest regard for the experiment they had made, if they did not desire to mar it, they would not adopt the proposition of the hon. Baronet in favour of certain county judges in immediate connexion with the metropolis.

Amendment withdrawn.

Clause agreed to.

Bill passed.

House adjourned at Twelve o'clock.

HOUSE OF LORDS,

Wednesday, July 21, 1847.

MINUTES.] PUBLIC BILLS.—3ª and passed:—Poor Removal Act Amendment (No. 2).

HOUSE OF COMMONS,

Wednesday, July 21, 1847.

MINUTES.] PUBLIC BILLS.—3º and passed:—Bishopric of Manchester, &c.

PETITIONS PRESENTED. By Mr. Repton, from the Rev. Daniel Dobrée, M.A., Rector of the united Parishes of the Forest and Torteval, in the Island of Guernsey, for Inquiry respecting Marriages (Guernsey).—By Lord G. Bentinck, from Magistrates, Proprietors, and other Inhabitants of Saint George, in the Island of Jamaica, for Alteration of Law respecting West India Produce, &c.—By Mr. Hume, from Members of the Scottish Board of Dissenters, Edinburgh, for Alteration of the Proposed Plan of Education.

BISHOPRIC OF MANCHESTER.

On the question that the Bishopric of Manchester Bill be read a Third Time,

MR. HUME said, he would not allow this stage of the Bill to pass without stating once more his objections to the measure. He complained that the compact entered into ten years ago had been violated, part of that compact being not that the number of bishops should be increased, but that there should be an equalization of their incomes. He regretted that the Government should have pressed forward this measure, and occupied so much valuable time, which might have been better occupied in the discussion of the valuable measures they had abandoned. He moved that the Bill be read a third time that day three months.

MR. J. BAILEY supported the Bill, though he regretted that the new bishop was not to have a seat in the House of Lords.

MR. EWART contended that, instead of creating new bishoprics, they ought rather to have rendered assistance to the great body of the working clergy; and he hoped that if any Church Bill was introduced next Session, it would be one to do justice to that class of men.

SIR J. GRAHAM would support the Motion of the hon. Member for Montrose; and he hoped the House would give him their attention for a few minutes while he stated his reasons for so doing: in the first place, because his reasons differed materially from those entertained by the hon. Gentleman who had proposed the rejection of the Bill; and secondly, because the opinions he had deliberately formed, were his own individual opinions, and not formed in concert with any other person whatever. On the last occasion when this matter was under debate, the noble Lord at the head of the Government stated his reasons for promoting the Bill, with great perspicuity and ability; and he was not prepared to dissent from many of the constitutional doctrines the noble Lord then laid down. He took a review of the past with reference to this matter; and he must also be permitted briefly to look back upon the history of the question. They were not now debating the question whether there should be a subdivision of dioceses or not —that had been settled by Act of Parliament; but the question was, whether the proposed change was or was not to be made on the conditions which had been already sanctioned and fixed by Parliament? In an Act passed at the close of the reign of William IV. with the full consent of the Head of the Church, acting by the advice of the same constitutional advisers who now counselled the Sovereign—the same Keeper of the Queen's conscience —the same President of the Council—and the noble Lord (Lord J. Russell) holding the important situation of Secretary of State for the Home Department —brought forward with the full concurrence of the Prelates, and passed with the unanimous consent of Parliament—it was enacted that there should be created a see of Manchester, to be taken from the diocese of Chester, on certain conditions. Let the House consider what those conditions were. They were, first, that the dioceses of St. Asaph and Bangor should be united; next, that there should be no addition to the number of bishops in England and Wales; and, thirdly, that the Bishop of Manchester, when the see was erected, should enjoy all the rights, titles, dignities, and privileges of a spiritual Peer. That was the arrangement then made, and which it was now proposed to set aside. In fact, the Bill before the House was in almost all particulars the very converse of that measure. It proposed that the see of Manchester should at once be created, and that the dioceses of St. Asaph and Bangor should continue separate, and that, in the first instance at least, the Bishop of Manchester should not enjoy all the rights, privileges, and dignities belonging to a spiritual Peer. Now, he would observe that at the time the arrangement to which he had referred was made, ten years ago, it was contemplated that it should take effect after the lapse of two lives, because it was possible that neither the Bishop of Bangor nor St. Asaph would consent to the union of the sees. One of them had since died; and his successor had been appointed—an able, pious, and zealous prelate, quite competent to discharge all the duties of the united sees. The Bishop of Bangor, exercising an option he had a right to exercise, refused to consent to the union of the two sees in his person. He could not but speak with the utmost respect of that Prelate; but he had descended far into the vale of years; and when his demise came—which he hoped would be far distant—the Bishop of St. Asaph, if the arrangement was adhered to, was bound to undertake the double function, and to discharge the duties of the two sees; the arrangement would then become complete, and the bishopric of Manchester would be created. Now, what reasons were given for departing from this arrangement? Was there any increase of population in the dioceses of St. Asaph and Bangor? He believed not; and he understood that dissent had increased within the limits of those dioceses now separate; while he doubted whether more than three or four new churches had been erected. With respect to the see of Chester, he admitted that the population had there increased, and that it was desirable as soon as possible to carry out the arrangement by which a new bishopric of Manchester should be erected, and the Bishop of Chester be relieved from a portion of his onerous duties. Something had been said as to the character of the Bishop of Chester. It was impossible to praise that Prelate too highly; but, when the extent of his diocese was spoken of, it should be recollected that he was also one of the Prebendaries of Durham. He held, at this moment, one of the golden prebends; and, by not resigning it, proved that his periodical absence from his diocese was admissible, and that his episcopal duties were not inconsistent with the discharge of his prebendal duties in the chapter of Durham. He had reason to know that the Bishop of Chester himself declared that occasional absence from his diocese did not disable him, in a manner most satisfactory to his own judgment, by correspondence and written minutes, to settle matters connected with the business of his diocese as accurately as if he were on the spot. Was there any principle of area, he would ask, which rendered it imperative that they should keep separate the two sees of St. Asaph and Bangor? Why, in the diocese to which he belonged (that of Carlisle), a great addition had been made to the limits of that see. Its length would exceed 100 miles under the new arrangement contemplated by the Order in Council. It had been said, that he had spoken disrespectfully of the Episcopal Bench. If one word had fallen from him having that tendency, he was extremely sorry for it. He could only speak of that which he himself had known. When it was said that the bishops had a great deal too much to do, it was natural to ask, what was it that they had to do? He would speak of his own Prelate, under whose pastoral care he had lived for eighteen years. He would speak of him with all that respect which he most justly deserved. What were the duties which that right rev. Prelate had to discharge? Was an hospital to be founded?—the bishop took the lead in that work of charity. Was there an infirmary to be established? —the bishop was ready to take week by week the chair, to direct the institution. Was there a church to be built?—the bishop headed the subscription. Was there a living to be augmented?—the bishop subscribed most liberally. Was there a clergyman's family to be relieved?—the bishop's name was at the head of the list of contributors. In all works of charity he set the example to others. Then, if he had a living to dispose of, as patron, he gave it to the most deserving clergyman, very often to the humblest, rather than to his own friends. But at the same time he was bound to say that the visitations of that Prelate were only triennial, and that the duties of ordination and confirmation were not frequent. The Prelate of whom he was speaking lived seven miles from the cathedral town, and did not occupy himself with directing his clergymen about matters that were insignificant and merely of form. He was at the head of an united clerical body, and commanded the respect of the gentry, and was very highly regarded both by the clergy and the laity in his own diocese. He (Sir J. Graham) believed there was no diocese in which dissent had made less progress, in which angry religious controversy was more rare, or in which there existed a more united body of clergy. There existed no angry feelings about points of mere ceremony; and whether it were in episcopal superintendence, or whether it were in pastoral exertions, he believed that the Bishop of Carlisle was fully capable of performing all the duties that devolved upon him within the larger limits assigned to that diocese. He would therefore again say, that according to his experience of the nature of the episcopal duties, he did not believe the bishops were overwhelmed with labour, or that the necessity of affording them additional aid was paramount to the wants of the parochial department of the Church Establishment. The noble Lord had said, and had said truly, that the Crown had not the power of creating a bishop. He (Sir J. Graham) admitted it; and if it were the will of Parliament that a new bishopric should be created, he quite agreed that it was competent to Parliament to prescribe the terms on which it should be created. The question then remained, what were the terms on which a new bishopric should be instituted? He understood the noble Lord to say, that the Statute-book being silent on the subject, a new bishop would by prescriptive right be entitled to take his seat in the House of Lords; and that it was only by statute that he could be restrained from doing so. He begged the House then to observe, that they were now, for the first time, about to restrict an ancient privilege, which it was admitted *de jure* belonged to the bishops of the Church of England. He would not trouble the House at any length as to the constitutional importance of the subject. The hon. and learned Member for Buteshire (Mr. S. Wortley) had already traced with historical accuracy the origin and extent of this right. He would, however, just refer to one passage in Bishop Warburton's *Dissertation on the Alliance between Church and State*, in which that eminent divine stated the public policy of the right of the bishops to sit in the House of Lords, and the importance with which he regarded it. Bishop Warburton said, that—

> "Provided the Church received this alliance, the bishops would be entitled as Peers and superior members of the Church to hold seats in the Legislature. But it necessarily followed that, if the State undertook to protect the Church, the Church must, in return, give up its independence to the State, whereby the State would become empowered to decide upon all questions affecting the Church. Hence it also necessarily followed that the superior powers of the Church must have seats in Parliament, to prevent the power which the State would thus receive from being perverted to the Church's injury. And further, the Church by giving up its independence, but at the same time reserving to itself a share in the Legislature, would be making itself, instead of a subject and slave of the State, an integral portion of the State; and, besides the advantage which would be derived to the Church itself by the bishops taking part in all legislation concerning ecclesiastical matters, it would be useful to the community that the bishops should be present to give their sanction to the laws, and thus assure the people that both Church and State had concurred in their enactment."

Bishop Warburton proceeded to show, that it was not by prescription only, but that it was by baronial right, that the bishops sat in the House of Lords. Now, it appeared that the noble Lord did not contest the prescriptive privilege of the bishops to seats in Parliament, but contended that Parliament had a right to limit that privilege in respect to any newly-created bishops. It was next said, that in this case the number of bishops having seats in the House of Lords was not affected; but that by adopting a system of rotation, the number of those who were the representatives of the spiritual interest of the country in the House of Lords was neither increased nor diminished. A word upon that system of rotation. He must say, that of all the objections to this measure, the one that struck his mind most forcibly was the introduction of this plan of rotation. All the dioceses of England, from the Heptarchy downwards, at all events from the time of Henry VIII., had in all spiritual matters been represented by their respective bishops in Parliament; the whole area of the country had been embraced in this episcopal scheme down to the present time. It was now, however, sought by this Bill to deprive every part of England, except the dioceses of London, Winchester, and Durham, in succession, of this right, which had at all times been enjoyed by immemorial usage and by prescription. Now, when it was proposed by the hon. Member for Evesham last night, that an inferior class of bishops should be created, who should be permanently excluded from the House of Lords, the noble Lord most wisely, and with great force, objected to that proposition. But the same objection applied with equal force to this system of rotation, because, although by that system there would be no class of bishops who would be permanently excluded, yet every one would practically, in turn, belong to an inferior class; and that very degradation which the noble Lord said was dangerous, would, by rotation, be established in each diocese by this Act. He had his forebodings that, by introducing this plan of periodical exclusion, they would increase that hostility which was now openly avowed against all episcopal establishments. He thought there was considerable force in what was stated by the hon. and learned

Member for Bath (Mr. Roebuck) the other evening. That hon. and learned Gentleman said, that this was the introduction of a principle so novel and so dangerous, that it would in the end overthrow the spiritual constitution of the country; that it admitted, as the hon. Gentleman thought, the whole argument against the bishops having seats in the House of Lords; for it admitted that it was possible for the bishops to perform the whole of their spiritual functions without sitting in Parliament. The hon. and learned Gentleman frankly told the House that he was desirous of seeing the bishops bodily removed from the House of Lords; that this was a step which led inevitably in that direction; and that, although we might not live to see it, yet he was convinced that in consequence of this measure, the bishops before many years would be hurled headlong from the Legislature. That was the opinion of the hon. and learned Member for Bath; and he said he rejoiced in the measure, because it would produce that effect. Then the hon. Member for Finsbury said that he was a Churchman; but he thought the efficiency of the superintending duties of the bishops would be better discharged by their being entirely separated from politics; and he therefore agreed with the opinions expressed by the hon. and learned Member for Bath. These opinions and declarations of views and of intention appeared to him very ominous, coming as they did from Members of a great party who were the supporters of the Government, and whose views and feelings, it might be assumed, were shared by a large portion of their constituents. Surely, then, the friends of the Church were entitled to look about them, and consider whether the creation of one new bishop was worth the risk of sacrificing the uniform principle of legislative representation of the Church by the bishops in the House of Lords. But was he consoled by what had fallen from the hon. Member for Kerry (Mr. M. J. O'Connell)? That hon. Member said, that, as a Roman Catholic, it did not affect him whether the Church of England chose to increase the number of her bishops, or to endow thirty or forty new rectories; but as to the question whether the new bishop should have a seat in the House of Lords or not, he was inclined to support the view taken by Government, as he thought it was of importance that the junior bishops especially should have the time and opportunity of making themselves acquainted with their clergy, without having public duties in Parliament to attend to. This was the view taken of this proposal by a Roman Catholic Member. Considering the sentiments thus expressed by various individuals, who were the exponents of the opinions of those parties to which they were known to belong, he certainly thought they were entering upon a course of legislation that was pregnant with danger. But if he pursued this subject further, what was it he saw? It was not only that dissent was raging without the Church, but there were heartburnings and angry divisions within the Church itself, which were most dangerous to its stability. If more bishops were to be created, some security ought to be taken as to the principle on which they were to be selected. Was it certain that the four new bishops would be taken from that body of men whose appointment would promote concord in the Establishment, and increase its strength in opposition to that spirit of dissent by which it might be assailed? United within, the Church might bid defiance to all attacks; but, divided within, it was weak indeed; and should this measure have the effect of widening the breach, and giving greater asperity to those internal divisions, then, without intending it, you would be doing irreparable injury to the Church, and would shake even its foundation. But was there unanimity on the Episcopal Bench in favour of this measure? Was their consent really given to the exclusion of one of their members from a seat in the House of Lords? It was said that they allowed the Bill to pass through the other House without objection; but the noble Lord had admitted that it was not upon the authority of the bishops that this particular arrangement, as it now stood, was recommended to the House. But, even if the Bench were unanimous, he must again return to what he had formerly observed, that unwise demands, imprudently urged, and rashly granted, had frequently worked injury to those who were most unanimous in preferring them; so true was the remark of the satirist—

> "Magnaque numinibus vota exaudita malignis."

But it was the duty of the Legislature—it was the duty of the Government—above all it was the duty of the Head of the Church—to stand in the breach, and resist any proposition, come from what quarter it might, which carried within it the seed of future danger to the Episcopal Establishment of this country. He had already said, that if the House would assent to the erection of the see of Manchester, and would add one spiritual Peer to the House of Lords, he would give his support to the Bill. But when he was asked to add one more bishop to the Church, and was at the same time told that it was in the contemplation of the Crown to create three more bishops, but that all of those bishops were to be excluded from the House of Lords, then, he confessed, he was not prepared to give his assent even to the present measure, although at present it was limited to the creation of one additional bishop. But how were these three bishops to be endowed? He had heard that they were to have an income of 4,200*l.* each. That would amount to a charge on the Episcopal fund of nearly 13,000*l.* a year. Then there would be palaces to be built for these bishops; so that when he looked forward to the charge that must be defrayed out of the Episcopal fund, he was apprehensive that he should never live to see that fund merged in the Common fund for the benefit of the parochial clergy of England. The distinction between the Episcopal and Common fund ought not, in his opinion, any longer to exist, but ought to be abolished, certainly in the course of the next Session of Parliament. He hoped he had now said enough to justify the vote which he was about to give; at all events, his own conscience assured him that the reasons which actuated him were pure, and sufficient; and he was ready to give his vote against the Bill without hesitation or regret.

Lord JOHN RUSSELL had few remarks to offer in addition to what he had already stated on former occasions. The right hon. Gentleman who had just resumed his seat, had taken, as he was obliged to do, a somewhat different course on the present occasion from that which he had generally adopted. He did not mean to say that the right hon. Gentleman's course now was inconsistent with the course which he had theretofore pursued; but his present course was taken in consequence of the decisions of the House. On a former occasion the right hon. Gentleman was ready to consent to the separation of the two sees of Bangor and St. Asaph, and the creation of the bishopric of Manchester; but the right hon. Gentleman now contended that the sees should be united, that the original Bill should take effect, and that the bishopric of Manchester should only be created when a vacancy had occurred in the see of Bangor. He would not now go over the arguments by which he thought that the proposition of maintaining those sees separate was to be sustained. He would merely observe that the House generally appeared to agree with these arguments, and that the proposition made in opposition to the present Bill was, that those sees which the people of Wales wished to be separate should be united, and that one of them, in fact, should be suppressed. The argument of the right hon. Baronet applied chiefly to the consideration that one of the bishops was to be for a time excluded from the House of Lords; and in support of his position he had quoted the authority of Bishop Warburton. Now, he would take leave to say that he entirely concurred in the applicability of the terms used by Mr. Hargrave with respect to Bishop Warburton's opinions on the subject of the alliance between Church and State, when he characterized those opinions as "a visionary theory." Bishop Warburton's work was marked by the usual learning and ingenuity of writing that distinguished the compositions of that eminent person; but a theory more unreal, and more unsubstantial, or one less founded on the practical connexion which should exist between Church and State, it would be difficult to conceive. Nothing but the great learning and powerful writing of Bishop Warburton could have made such a theory plausible, or even readable, considering the deficiency of all foundation in truth for the doctrine itself. He must therefore set aside altogether the opinion of that right rev. Prelate, as quoted by the right hon. Baronet opposite. But the right hon. Baronet maintained that there was very great danger in the non-admission of one of those bishops into the House of Lords; and the right hon. Baronet stated the danger in what appeared to him a very curious manner. He grounded much of his apprehension on opinions given in that House by individual Members, while he wholly set aside opinions uttered elsewhere, on which he might in some degree rely. The bishops had an opportunity of stating their opinions in the House of Lords. The apprehension of the Church being in danger was one which they all knew it was very easy to raise in former times, and even now, in the minds of right reverend prelates; nevertheless, the apprehension did not appear to have occurred to the minds of the bishops. It did not appear to have occurred to the Commission. They said, and very fairly too, that the proposition was not theirs; that it was the project of the Executive Government; and that therefore they (the Members of the Commission) were not to be regarded as the responsible parties—as, in a word, the originators of the measure. They had every right to say that; but when the proposition was made to them by the Executive Government, and when it was drawn up in the shape of a Bill, it did not then excite any repugnance on their part such as to induce them to see great danger in it, or to urge them to oppose the proposition. But the right hon. Baronet set that circumstance—in his (Lord J. Russell's) opinion a very important one—altogether aside, and said that he attached great weight to the opinions of the hon. and learned Member for Bath, and the hon. Gentlemen the Members for Finsbury and Kerry. He considered the opinion of the bishops as of no value whatever; he thought that they were foolishly rushing into their own destruction, and making vows which would lead to their ruin. "I do, however, see," said the right hon. Gentleman, "in the opinions and statements of the hon. and learned Member for Bath, and the hon. Member for Kerry, so much reason, and so many cogent arguments, that to their opinions I feel bound to defer; and upon their arguments I will base my vote." The hon, and learned Member for Bath made on that question, as he generally did on all others, a very able speech; but it appeared to him (Lord John Russell) to convey not so much his own opinion of the dangers which would follow from the enactment of the present measure, as an anxiety on his part to induce other hon. Gentlemen who sat opposite, and who might really be alarmed by the contemplated change, to share the apprehension he endeavoured to instil, and to induce them not to support the second clause of the Bill. It was ably and skilfully done on the part of the hon. and learned Member for Bath; but the hon. and learned Gentleman did not appear himself to attach much value to the establishment of the principle which was to change and wholly overthrow the spiritual constitution of the country, for he did not record his own vote on the question. Having endeavoured to induce others to do so, he actually left the House before they went to a division, and did not himself vote at all. The hon. Member for Kerry took a part in the debate. He admitted that, as a Roman Catholic, the spiritual government of the Church of England did not in any wise concern him; and he accordingly, with good taste and good feeling, refrained from interfering in the matter; but when the question assumed another aspect, and became one involving legislatorial powers, he felt that he was entitled to give an opinion, and he gave it as his opinion that it was expedient that there should not be any increase in the number of bishops having seats in the House of Lords. But that opinion did not strengthen the case of the right hon. Baronet. On the contrary, it rather added weight to the case which he had put before the House. He begged leave to state again the purport of his argument, which was, that whatever arrangements they might think right to make, which were for the benefit of the Church of England, whether they agreed to create a Bishop of Manchester, and other prelates hereafter, or whatever course, with a view to that end, they might think fit to pursue, his belief was, that while they looked simply to the purpose of contributing to the spiritual efficiency of the Church of England, the rest of the community who did not belong to that Church would look upon their proceedings as on proceedings which they were fairly entitled to take; but that if they were to say that their object was to increase the number of bishops of the Church of England sitting in the House of Lords, and taking a part in the legislation of the country, the Protestant Dissenters of England, the Presbyterians of Scotland, and the Roman Catholics of Ireland, would immediately exclaim, "That is a proposition which we must regard with jealousy. You have left the ground of the spiritual efficiency of the Church of England. You now are going to increase the ecclesiastical power in temporal legislation; and that is a proposition which, without undue interference with the internal arrangement of the Church of England, we are entitled to object to." He thought that argument was supported by the course taken by the hon. Member for Kerry, who said that, with regard to the former clauses of the Bill, he had taken no part, but that in reference to this portion of it, he was fairly entitled to express an opinion. He (Lord J. Russell) did not want again to enter into the question of rotation of bishops. Suffice it to say, that he did not think that, theoretically or practically, any fair objection could be urged against it. He did not think in this Bill they at all trenched on the general constitution of the country, which connected bishops with the enjoyment of legislative powers in the House of Lords, while at the same time they took the means which were within their reach to increase the spiritual efficiency of the Church, so far as the diocese of Chester was concerned. The right hon. Baronet had pointed to other dangers arising in the bosom of the Church herself. He could only say that he (Lord J. Russell) felt himself under greater responsibility than perhaps any one else in that House, having to advise the Crown in cases of vacancies in the episcopacy. He sincerely wished to see the Church of England united in harmony and concord, and to see her maintain her ancient doctrines; and he trusted that the Protestant character of that Church would be maintained by its bishops and its clergy for ever.

Mr. STUART WORTLEY said, that up to this time he had voted for the Bill, and had abstained from offering any opposition to it further than proposing an Amendment, which he considered perfectly consistent with his general support of the measure to offer; but he now felt compelled in this its last stage to oppose the Bill. If the Bill could have been confined to the creation of one bishop, and that bishop to be entitled to all the rights and privileges which attached to that dignity, he should have heartily consented to it. But he had asked himself whether he could consent to the creation of this one bishop at the great sacrifice of so important a principle as that of the loss of a seat in the House of Lords; and the conclusion at which he had arrived was that he could not. The Bill did not pass the House of Lords with the unanimous concurrence of the bench of bishops; for, when the same Amendment was moved by Lord Stanley which he (Mr. S. Wortley) moved in the House of Commons, three bishops supported it; and when the Amendment was rejected those three bishops protested against the Bill, two of whom were of those ancient sees which were to be disfranchised by this Bill. He had also been told by another Prelate that it was a mere accident that prevented him from being present to vote against the measure. Therefore, there was no unanimity among the Bishops. The responsibility of which the noble Lord spoke, did not so much rest with him as with others. While the carrying out of this measure depended upon the noble Lord, no danger might be apprehended; but would they always have the protection of the noble Lord's courage and his principle in the Councils of the State? The noble Lord corrected for the sake of maintaining; he reformed for the sake of preserving; but the noble Lord might be succeeded by a class of men who would change for the sake of overturning.

Sir R. H. INGLIS would be unwilling to trespass on their attention, even for two or three minutes on that occasion, but for the statement of his hon. Friend who had just sat down, that upon the divivion upon the Bill they were to take different sides. He could not concur with his hon. Friend in his course with respect to the Bill, mutilated as he admitted it to be since it had first received the support of both. He regretted that the Bill had been changed; that the preamble had been altered; for the recital in it, though it did not bind the House, went to the affirmation of a principle; and, therefore, he regretted the omission of the words about the additional bishops. With respect to the apprehensions expressed by his right hon. and learned Friend (Mr. Wortley), as to the course which a future Minister might take, he should observe that it was his belief that even if the noble Lord were removed from power, the principles he had enunciated would remain the guide of the Government of the country, supported, as those principles were, by the great body of the people. Those principles were the maintenance of the Church of England in its present integrity, and the maintenance of our Protestant Constitution. To these principles his noble Friend had distinctly pledged himself; and without wishing to revive discussion at a period of the Session when it was desirable that the debate should be speedily brought to a close, there were sufficient reasons to induce him to hail with gratitude the statement that had just been made by his noble Friend. He could not, therefore, concur with his right hon. and learned Friend who had last addressed-the House, that it was desirable to reject the Bill, mutilated though it was. He felt that the establishment of three additional bishoprics without seats in the House of Lords formed an almost essential part of the arrangements proposed by Her Majesty's Government; and he certainly regretted the omission from the preamble of the Bill of the words relating to that subject; but when he had to consider whether he should best consult the interests of the Church by adopting or rejecting the measure as it then stood, he had no hesitation in continuing to give it his support.

MR. A. B. HOPE was grateful to the noble Lord for introducing the measure. Had the late Government been in power they would not have done so much to promote the interests of the Church. The episcopal superintendence of the Church was by no means adequate to its wants. The Roman Catholic bishops in England had doubled within the last few years. The Church of Rome in this country had ten bishops, while the many millions of people attached to the Established Church had not three times that number. But even if the number were increased to fifty or sixty, still of all the Episcopal Churches in the world, the Church of England was that which had the fewest bishops. He should, notwithstanding the alterations made in the Bill, give it his support.

MR. HORSMAN feared, with the right hon. Baronet the Member for Dorchester, that they were addressing themselves to the episcopal rather than to the parochial wants of the people. He hoped that during the recess, Her Majesty's Government would give their attention to the subject, and that at the opening of the next Parliament, Her Majesty would be ready to state that it was her intention to make adequate provision for the spiritual wants of the people. He rejoiced to find that the noble Lord had the confidence of the Church; and wished him to retain that confidence, provided it were acquired by no compromise of principle. He should be happy to find the noble Lord acquiring confidence from any quarter which would give strength and stability to his Government. He thought that before this Bill was introduced, the noble Lord should have applied himself to the removal of the many anomalies that existed in the Church. What, for instance, could be more absurd than to compel a bishop to vindicate at his own private expense the discipline of the Church against a clergyman who had misconducted himself; and, on the other hand, what could be more unjust and improper than that the bishop should have the power of proceeding against a clergyman who had left the Church of England on conscientious grounds? If they wish to make the Church pure and effective, they must have some modification or other of the present system of patronage. It was quite in accordance with the times in which it was instituted; but, unless it was now modified, it must operate most injuriously upon the Church. Again, for several years successively, in that House, the question of church rates had been brought forward by the Government. That subject must also be taken into consideration; and he thought they might be done away with, and all the heartburnings to which they gave rise removed, without any serious opposition from any party.

LORD H. VANE preferred the present simple character of the Bill to the shape in which it was originally brought forward by the Government. He should have preferred, abstractedly, the union of the two sees of St. Asaph and Bangor, for it did not appear to him that the areas of those dioceses were too extensive, or the duties of them too onerous, to be undertaken by the same individual. He would have preferred that the arrangement of 1836 had not been disturbed; but, considering the general feeling entertained in the Principality of Wales upon the subject, and, he believed, amongst the greater part of the clergy of the Church of England, he did not blame the Government for having determined not to insist on the union of the sees in question. He also entertained a strong opinion on the distinction endeavoured to be established between the Episcopal and the other fund. He thought that such a distinction could not be maintained; and that, if it could, it would be most injurious to the Church, for he held that the surplus fund arising from the accumulation of several years of the proceeds of episcopal lands that fell in, should be applied to the payment of new and colonial bishops. Every hon. Member in the House, except, perhaps, the hon. Baronet the Member for the University of Oxford, must see that would be a most preposterous doctrine. He was not one of those who thought that the Government were wrong in establishing a system of rotation of the bishops sitting in Parliament; and, notwithstanding the alarm of the right hon. Gentleman the Member for Dorchester, he thought that any attempt to increase the number of bishops in the House of Lords would give rise to great jealousy and heartburnings, especially amongst the great body of the Nonconformists of this country, and that there would spring up amongst them a greater feeling of animosity than existed at present.

MR. GOULBURN said, that notwithstanding what had fallen from some of his right hon. Friends, his intention was to give his support to the third reading of the Bill. He must confess that he attached greater value to the extension of the episcopacy than his right hon. Friend the Member for Dorchester appeared to do; and, sincerely as his right hon. Friend was attached to the Church of England, and not claiming to himself any attachment beyond what his right hon. Friend entertained, he thought it necessary to the efficiency of the Church that the episcopal part of the Establishment should bear a greater proportion to that part of it which might be said to consist of the parochial instructors, than it did under the present system. There had been reference made to a friend of his own, the Bishop of Carlisle, a prelate who presided over a see remarkable for the absence of dissent. Now, it had been argued, because the Bishop of Carlisle was competent to the duties of his see, that therefore it was unnecessary to make any alteration in any other see. But some years ago the see of Carlisle contained a much smaller population and much fewer clergy than at present; and it did not follow, because the Bishop of Carlisle preserved union amongst his clergy, and that dissent did not happen to be prevalent in his diocese, that therefore there was no necessity for the proposed change. He admitted that there was a necessity for a Bishopric of Manchester; and he was therefore prepared to forego his objection to some of the details of the measure. For his part, he saw no objection to a Bishop of Manchester having a seat in the House of Lords; and he thought that that concession might have been made without exciting any animosity on the part of the Dissenters. He consented to the Bishop of Manchester not being in the House of Lords with great reluctance, for he was not insensible to the inconvenience, and even the danger, of such a course. It was not to be forgotten that the Dissenters possessed great influence in the House of Commons; it was therefore only fair that the influence which the Established Church possessed in the House of Lords should be preserved. As to the Bill generally, he hoped and believed that this extension of episcopacy would be accompanied by an extension of those truths which it was the peculiar office and duty of the Established Church to teach and to enforce. He hoped that the immediate effect of these changes would be to render the lower and middling orders of society more attached than ever to the Established Church; and he trusted that the ultimate effect would be to restore episcopacy to its original dignity in this country. Upon the whole, although there were grave objections to the Bill, yet, on the other hand, the advantages derivable from a more extended episcopal superintendence of the inferior clergy so much outweighed them, that he would not oppose the measure.

Mr. B. ESCOTT observed, that he still felt bound to oppose the Bill, as an Amendment had been moved, although his objections were much diminished; but he wished to say, that if the minority had with more than usually strong feeling persisted in their opposition, yet, on the other hand, the noble Lord had generously used the power which his large majority gave him, and had conceded what appeared to him not to be agreeable to public opinion.

Viscount CLIVE thought there was much more danger to be apprehended from limiting the number of bishops, than from having a few bishops without seats in the House of Lords. He did not think any danger could arise from an increase in the number of bishops, nor that those who supported the noble Lord were under the influence of those divinities whom the right hon. Baronet (Sir J. Graham) had stated were urging them on blindly, though unwillingly, to destroy the Established Church.

Mr. AGLIONBY, as one of the minority against the Bill, was quite prepared to defend himself without the interposition of the hon. Gentlemen opposite who had spoken in favour of the Bill. He should not have said one word on this occasion had it not been for one of the observations of the right hon. Gentleman opposite, who had delivered a very elaborate eulogium on the right rev. the Bishop of Carlisle. He (Mr. Aglionby) had nothing to say against that right rev. Prelate; he would not do so under any circumstances. He knew very little of him, either personally or by repute; but when he heard so much said about his utility in his diocese, occasioned by his mixing with the gentry and the various classes there, he must say that he had very seldom heard anything of that bishop's utility. In his own neighbourhood the right rev. Prelate was no doubt very much respected; he had not heard a word against him; but the right hon. Gentleman went further than that, for he attributed the absence of dissent in that diocese to the bishop's exertions. Now, he knew that there was a great deal of dissent in his diocese. He did not mean to say that there was more dissent in his diocese than in any other; but within five miles of the Bishop of Carlisle's palace there were several congregations of Dissenters.

MR. GOULBURN explained that in speaking of the diocese of Carlisle, he had not spoken from his own personal knowledge.

SIR J. GRAHAM had not said that there was no dissent in the diocese of Carlisle. What he did say was that the Bishop of Carlisle was not an interfering, meddling Prelate about trifles—the consequence of which non-interference was that he had a united clergy—that, speaking generally, he had the good will and opinion of the laity—and that dissent was less angry and turbulent than in almost any diocese that he knew.

MR. LEFROY said, that feeling this measure was one which did not give him much claim to occupy the time of the House, he had hitherto supported it by his vote, without speaking upon it. He might be inclined to do so at this the last stage, if the vote he had given upon the clause for the formation of the bishopric of Manchester without a seat in the House of Lords might not subject his feelings towards the Established Church to be misinterpreted; and the more so as on this clause he had voted differently from his hon. Friend the Member for the Dublin University. In giving that vote, he wished it to be understood that he would yield to no Member of the House in his attachment to the Church, and in his desire to support all its just rights and privileges. The question he had to consider was between the spiritual advantage proposed for adding to the efficiency of the Church, and some risk to certain temporal rights and privileges which belonged to it. He felt no hesitation in avowing, that he believed it was his first duty to give his support to extending its spiritual influence; and under this impression, which was not a little strengthened by the arguments of the noble Lord at the head of the Government, he thought it was more becoming to give a steady support to all the provisions of the Bill, which the Government had brought forward with so much courage and spirit, rather than to desert them on some clauses which, in his opinion, did not affect the efficiency of the Bill. He thought that the opposition afforded to even this very limited measure (confined as it was to the revenues and interests of the Church itself) proved how impossible it would have been for the Government to carry a Bill which would have been opposed, not only by certain Members of that House, but by the great body of Dissenters in the country. In acting thus, he thought he was not overlooking the best interests of the Established Church in Ireland, when he recollected that a venerable and distinguished Prelate in the other House of Parliament had this Session given notice of his intention to move for the restoration of the bishopric of Kildare; and he felt assured the success of this very important object might be much more confidently looked to on the ground stated for making the new bishopric of Manchester, rather than as an addition to the temporal aggrandizement of the Church. His hon. Friend the Member for Bute had called on him and other Friends to hesitate in supporting this measure, because it was proposed by Her Majesty's Government, whom he said "we could not trust for political consistency." He could only say that he was not in the habit of considering from what party or side of the House a measure came: if it was in itself good, he would support it on its merits; if bad, he would, as he had often done, oppose it, though brought forward by political friends. If they were to reject a measure, however excellent, because it was proposed by statesmen who had in all their conduct been consistent, he should be glad if his hon. Friend would tell him where they were to be found. He thought he must at all events wait for the new Parliament to find them. On such grounds he tendered his support on the present occasion most gladly to the Government; and he must avail himself of the last opportunity in this Parliament to thank the noble Lord for the sentiments he had expressed in supporting this Bill; and adding his own hope that should the noble Lord hold (as was most probable) his present position on the meeting of the new Parliament, he would be influenced by that zeal for the advancement of true religion which he expressed this day, with so much credit to himself and so much gratification to him and others, the best friends of the Church.

MR. ACLAND suggested to the Government the propriety of bringing forward a measure on some future occasion to make provision for such bishops as might through age or infirmity become incapacitated to discharge their duties. That, he thought, was a subject which ought to receive the attention of the Government. In common with other hon. Members, he felt deeply grateful for the step which the Government had already taken with reference to the Church.

Mr. T. S. DUNCOMBE wished to offer one word of advice to the hon. Gentlemen who had expressed their great approbation of the noble Lord's conduct with reference to this measure. If they were sincere in their expressions of approbation, let them prove their sincerity by supporting the noble Lord at the ensuing election. They would then be acting conscientiously; but to applaud him now, and be desirous of overthrowing him at the election, appeared to him to be anything but consistent. He wished to say one word with respect to that small minority who had felt it their duty to oppose this Bill. He could not help congratulating that small minority on the encomiums that had been heaped upon their labours by several hon. Gentlemen who had spoken that day. His noble Friend the Member for South Durham had confessed that the Bill, in consequence of the alterations that had been conceded, in consequence of the " small minority," had became much more acceptable to himself, and he believed it would prove much more acceptable to the public in general. The right hon. and learned Gentleman the Member for Bute had also said that by the minority's opposition to this Bill they had at all events put an extinguisher upon the hopes of the Government, or rather certain other parties, creating and manufacturing any more bishops. He (Mr. Duncombe) hoped that that would be the case. He hoped that the noble Lord would at all events have learned a lesson from this opposition, and that he would not burn his fingers with any more bishops. At all events he did hope and trust that if he intended to dabble in the manufacturing of any more bishops, he would bring forward, his measure at an earlier period of the Session, when the House might have a better opportunity of contesting it than they had now. He had objected to this measure because he considered it to be a deviation from the arrangement entered into in 1836. They were then told that the great object of that measure was not to create any more bishoprics. The language then used was, " Recollect, this measure does not increase the number of bishops." Now, " the small minority" objected to this measure because it proposed to increase the number of bishops if only by one. But there were in prospective those three. They had struck them out, and not the slightest allusion remained in the Bill with regard to them. If that clause had been retained, the House might depend upon it that they might have expected the Government coming forward on a future occasion to propose the creation of those three bishoprics; and they would have told the House that it was their duty to pass such a measure, because they had given their sanction to it in a previous Session. He hoped, however, that as such a measure, even in prospective, had been overthrown, they would now hear no more of it; and he hoped that the noble Lord at the head of the Government, notwithstanding the flattering speeches of the hon. Gentlemen opposite, would never again be tempted to place himself in a similar position.

Mr. J. COLLETT still continued to think that, instead of having too few bishops, we had already too many. He considered that the very name of bishop had become offensive to the people. They were now about to be sent back to their constituents, and they knew not how many of them would ever return to that House; but he could look with some kind of satisfaction on the determined opposition which he had offered to an increase of the bishops of the overpaid and overgorged Church of England.

On the question that the word " now " stand part of the Question, the House divided:—Ayes 93; Noes 14: Majority 79.

List of the Ayes.

Acheson, Visct.
Acland, T. D.
Anson, hon. Col.
Antrobus, E.
Bannerman, A.
Barrington, Visct.
Bateson, T.
Beckett, W.
Bentinck, Lord G.
Blackburne, J. I.
Bodkin, W. H.
Borthwick, P.
Bowles, Adm.
Broadley, H.
Broadwood, H.
Buller, C.
Byng, rt. hon. G. S.
Carew, W. H. P.
Cholmeley, Sir M.
Cholmondeley, hon. H.
Clive, Visct.
Collett, W. R.
Cowper, hon. W. F.
Craig, W. G.
Deedes, W.
Denison, J. E.
Dickinson, F. H.
Dodd, G.
Dundas, Adm.
Dundas, Sir D.
East, Sir J. B.
Ebrington, Visct.
Egerton, W. T.
Egerton, Sir P.
Feilden, Sir W.
Fleetwood, Sir P. H.
Frewen, C. H.
Fuller, A. E.
Gaskell, J. M.
Goulburn, rt. hon. H.
Grey, rt. hon. Sir G.
Grosvenor, Lord R.
Hallyburton, Ld. J. F.
Hamilton, G. A.
Hamilton, Lord C.
Hanmer, Sir J.
Hatton, Capt. V.
Hawes, B.
Hobhouse, rt. hn. Sir J.
Hope, A.
Hudson, G.
Inglis, Sir R. H.
Jervis, Sir J.
Labouchere, rt. hn. H.

Lascelles, hon. W. S.
Law, hon. C. E.
Lefroy, A.
Legh, G. C.
Le Marchant, Sir D.
Liddell, hon. H. T.
Lindsay, Col.
Macaulay, rt. hn. T. B.
Manners, Lord C. S.
Maule, rt. hon. F.
Moffatt, G.
Morpeth, Visct.
Mundy, E. M.
Neeld, J.
O'Brien, A. S.
Paget, Lord A.
Palmer, G.
Palmerston, Visct.
Parker, J.
Philipps, Sir R. B. P.
Phillpotts, J.
Plumridge, Capt.
Price, Sir R.
Repton, G. W. J.
Rich, H.
Russell, Lord J.
Russell, Lord C. J. F.
Rutherfurd, A.
Somerville, Sir W. M.
Trotter, J.
Vane, Lord H.
Waddington, H. S.
Walpole, S. H.
Ward, H. G.
Wellesley, Lord C.
Wilshere, W.
Wood, rt. hon. Sir C.
Worcester, Marq. of
Wynn, rt. hon. C. W. W.

TELLERS.

Tufnell, H.
Hill, Lord M.

List of the NOES.

Aglionby, H. A.
Brotherton, J.
Collett, J.
Duncombe, T. S.
Escott, B.
Evans, Sir De L.
Graham, rt. hn. Sir J.
Hindley, C.
Molesworth, Sir W.
Osborne, R.
Thornely, T.
Wakley, T.
Wall, C. B.
Williams, W.

TELLERS.

Hume, J.
Ewart, W.

Bill read a third time.

MR. P. BORTHWICK then moved the omission of so much of Clause 2 as enacted the exclusion by rotation of the future bishops of certain existing sees from the House of Lords. It ought never to be forgotten by Churchmen or Dissenters that the security of the nation depended upon the maintenance of the Church of England. After expatiating upon the many onerous duties of a bishop, the hon. Gentleman reminded the House that foremost amongst those who had stood up for the rights of the people of England from the oppressive acts of her Sovereigns were the bishops of the Church; it was they who had boldly declared in the face of one of the oppressive rulers of England, *Nolumus leges Angliæ mutari.* He called therefore upon the noble Lord at the head of the Government not to encroach upon those constitutional privileges which the hierarchy of England had enjoyed from the time of the Heptarchy.

LORD J. RUSSELL had understood the hon. Gentleman the previous day to state, that in making this Motion, it was only his wish to record his own opinion on the subject. He (Lord J. Russell) would not enter into the arguments on the opposite side, though certainly they were directly at variance with the views taken by the hon. Gentleman; and he trusted that, after the strong declaration on the part of the great majority of the House with respect to this Bill, the hon. Gentleman would be satisfied with having expressed his own sentiments, and refrain from pressing the Amendment to a division. Hoping that this suggestion would be acceded to, it would not be necessary for him (Lord J. Russell) to repeat the reasons why he could not support such a proposition; and he only wished, in closing the discussion, to state, that he felt himself highly indebted to hon. Gentlemen on both sides of the House for the manner in which they had supported the Bill. By their assistance he had been enabled to carry it by a large majority; and his obligation was the greater, because he was confident that, in the course they had pursued, they had looked only to the merits of the Bill, and had been actuated by no party considerations whatever.

MR. LAW supported the Amendment of the hon. Member for Evesham, with the view of recording his opinions upon the question involved in it.

MR. BORTHWICK would not divide the House. He was quite content with having brought the subject before them.

Amendment negatived.

Bill passed.

COMMUTED PENSIONS.

SIR DE L. EVANS moved for—

"Copies of such Warrants, Orders, or Directions, as may have been issued by the War Office or Treasury, bearing date about the year 1832, inviting or authorizing Pensioners to receive a commuted allowance for their Pensions, with the promise of Land in the Colonies; of such unpublished Representations to Government as may have have been made by the Earl of Durham while Governor of Canada on the consequences of those commutations; of such Orders or Explanations as may have been issued by the English Treasury or War Office to the Canadian Government or otherwise on the subject of restoring the Pensions of the Pensioners in Canada, under certain specified circumstances; of such Minutes or Orders as may have been drawn up by the Treasury, showing why the measure of restoration of Pension extended to the Pensioners in Canada ought not to be granted to the commuted Pensioners who may not have left England, or who may have returned to England from Canada; also, of such representations as may have been addressed to the Treasury subsequent to 1832 by the Right Hon. Edward Ellice and the Right Hon. Sir Henry Hardinge, when Secretaries at War, in reference to the justice or policy of commuting Pensions for service or wounds, and to the case of those who claimed restoration of their Pensions, after having, in fact, paid back with interest the amount which had been advanced to them as a commutation by Government."

The hon. and gallant Officer urged the Government to take this case into consideration, and, by the expenditure of a very trifling sum of money, save those veterans whose pensions had been commuted, and who were now, having returned from Canada, living in a state of the utmost distress, from the absolute destitution in which, if neglected, they would eventually be placed. It was a disgrace to an English Administration that such a system of getting rid of old soldiers had ever been resorted to. He even believed that the Government had gained something like 300*l.* from the distresses of those twenty pensioners to whose misfortunes he had so often called the attention of the House.

Mr. F. MAULE did not feel justified in acceding to the Motion. He had no objection, however, to put those parties who were living in this country on the same footing (4½*d.* a day) as those resident in Canada, or he would have no objection to give them a free passage and enable them to settle in British North America.

Sir De L. EVANS said, most of these parties were so old that they could not emigrate. The Government had saved from 200*l.* to 300*l.* by each of these pensioners; and why not give them the pension to which they were formerly entitled before they went out to Canada?

Lord J. RUSSELL said, there was no objection to place these men on the same footing as those now in Canada.

Motion withdrawn.

DR. REID'S VENTILATION.

Mr. R. YORKE rose to move for an Address for copies of certain correspondence between the Commissioners of the Woods and Forests, Mr. Barry, and Dr. Reid, which, he was happy to say, would not be opposed by the noble Lord (Lord Morpeth). Having recently travelled in the south of Europe and elsewhere, he might say, that he had nowhere met with so close an approximation to a triumph as the present system of ventilation adopted in that House by Dr. Reid; and hon. Members who, during the present sultry weather, occasionally went into the House of Lords must be of the same opinion as himself thereupon.

Sir R. H. INGLIS begged to express the same gratitude to Dr. Reid, in which he should think the whole House must concur.

Viscount MORPETH, for one, cordially concurred in the approval bestowed on the ventilation which they had recently experienced. He hoped that the proposal of Dr. Reid with respect to the ventilation of the new House of Commons would be such that it might be adopted.

Mr. HINDLEY thought that the House had never done sufficient justice to Dr. Reid, who ought to have had a testimonial or a resolution of that House in his favour. He regretted that Mr. Barry and Dr. Reid were at variance; and he would suggest that the noble Lord should endeavour to bring them together at some interview.

Viscount MORPETH did not think that any proposition to bring those distinguished individuals together would be attended with any success.

Motion agreed to.

House adjourned at half-past Four.

HOUSE OF LORDS,

Thursday, July 22, 1847.

Minutes.] Public Bills.—3ª and passed:—New Zealand (No. 2); Consolidated Fund (Appropriation); Commons Inclosure (No. 3).

Received the Royal Assent.—Militia Pay; Militia Ballots Suspension; Post Office; Navigation (No. 2); Canada Consolidated Revenue Fund; Naturalisation of Aliens; Bankruptcy and Insolvency (No. 3); Juvenile Offenders; Ecclesiastical Jurisdiction Amendment; Trustees Relief; Passengers Act Amendment; Master in Chancery Affidavit Office; House of Commons Costs Taxation; Print Works; Stock in Trade (Exemption); Canal Companies; Joint Stock Companies; Police Clauses; Tithes Commutation; Turnpike Acts Continuance; Holyhead Harbour; Turnpike Roads (South Wales); Highway Rates; Copyhold Commission; Copyright (Colonies); Mussel Fisheries (Scotland); Herring Fishery (Scotland); Drainage of Lands (Ireland); Compensation for Damages (Ireland); Punishment of Vagrants (Ireland); Railways (Ireland, No. 2); Fishery Piers and Harbours (Ireland); Shannon Navigation (Ireland); Recovery of Public Monies (Ireland); Destitute Persons (Ireland, No. 3); Public Works and Drainage (Ireland); Constabulary Force (Ireland); Poor Relief Supervision (Ireland); Polling at Elections (Ireland).

CRIMINAL LAW.

Lord BROUGHAM moved for Returns to which he understood there would be no objection, viz.:—

"A Copy of the Commission to inquire into the Means of Improving the Law and Practice touching the Conveyance of Real Property; and also an Account of the Criminal Law Commissioners who have resigned or been appointed since the last Session of Parliament."

He took that opportunity of referring to the necessity which existed for a full and complete digest and index of our Criminal Code. He had been most unjustly assailed for his attempt to prepare a digest of the criminal law. He had brought in a Bill upon the subject about three years ago, which his noble Friend, the then Lord

Chancellor, supported; but suggested, at the same time, the propriety of not pressing it that Session, as it was a subject which required such deep and careful deliberation. The matter had been accordingly referred to the Criminal Law Commissioners; and he was extremely anxious that it should be brought as soon as possible into shape and form. It was unfortunate that we had as yet no digest of our criminal law, whilst our neighbours across the Channel had been long since supplied with that valuable desideratum. He was far from saying that our criminal code would be made quite perfect by it; but most undoubtedly if we had a proper digest and index, our code of criminal jurisprudence would be rendered the most complete the world yet had seen. By contrasting the mode in which evidence in criminal cases was received in the courts of law at the other side of the Channel, with the practice of ours, the advantages of our laws would be at once seen. Proceedings which had taken place within the last few days amongst our neighbours, placed the matter in a strong light. They there saw prisoners overwhelmed with a hundred and odd pages of an indictment; letters to a man's wife brought into evidence, and tortured into proofs against him, after having been received in the most careless and shameful manner; and confessions wrung out of prisoners by the most improper means. If our neighbours would only consider it properly, instead of self-laudation on the score of their superior methods of proceeding, they should hide their heads for very shame.

Returns ordered.

SUPPLEMENTARY MINUTE OF THE COUNCIL OF EDUCATION.

LORD STANLEY said, he wished to call the attention of the noble Marquess to a subject upon which he had no doubt the noble Marquess would be able to satisfy him by replying to the question he was about to put, although he had not had time to give formal notice of it; and he trusted that the explanation would be a satisfactory one. Within the last few days there had been laid upon the Table of the House a Supplementary Minute of the Committee of Council on Education, bearing date the 10th of the present month. That Minute, after referring to the resolution of the 19th August, 1839, which required "as an indispensable condition that an inspector acting under the authority of the Committee shall be enabled to visit every school to which any grant shall in future be made;" but provided that he should "not be authorized to examine into the religious instruction given in the school, but he would be directed to ask for such information as to the secular instructions and general regulations of the school as might enable the Committee to make a report to Her Majesty in Council, to be laid before both Houses of Parliament," went on to say, "that the principles embodied in the resolution of the 19th August, 1839, be applied to such cases, and that no certificate of the religious knowledge of pupil-teachers or monitors be required from the managers of such schools." Now, it appeared to him (Lord Stanley) that the Committee now intended to apply the spirit of that resolution to two cases which were essentially different: the object of the resolution of 1839 was to exempt schools from religious inspection by inspectors of religious denominations different from those of the pupils; and nothing could be more fair or reasonable than such a proposition. It was manifest the Presbyterian, or Baptist, or Unitarian schools should not be inspected by Church of England inspectors. But it appeared to him that the new Supplementary Minutes carried the matter a great deal further; because the Committee resolved "that there are schools to which it is desirable that grants should be made, though the managers object on religious grounds to make a report concerning the religious state of such schools." He thought the two cases were widely different; and he thought, and he hoped he was not deceived in the belief, that the basis on which all grants were made, or were to be made, was, that although conditions were not imposed with regard to the form of religious instruction, yet that whatever amount of religious instruction should be given, the Parliament and the country which granted and bore the expense of the aid should be satisfied that religious instruction in accordance with the principles of the parents of the pupils educated at the schools should be given. As the reports of the inspectors were the only security which the Government could take or did require for the combination of moral and religious with literary instruction, he wished to know what were the denominations the professors of which objected—as managers of schools requiring aid—to place them under inspection as regarded their religious forms of instruction, and which being to be carried on on a religious basis, yet would not undertake to report to Government the religious progress of the children? He hoped they would have some explanation from the noble Marquess as to what class of schools were alluded to in the Minute, and of which Her Majesty's Government entertained the opinion that aid should be granted to them without inspection as to religious instruction.

The MARQUESS of LANSDOWNE said, that he could assure his noble Friend that he would with great pleasure give him all the information in his power. Surprising as it might be to the noble Lord, that such strong objections should exist on this subject, and surprising as it had been to himself that they should prevail to such an extent, still a large class entertained strong impressions against receiving any aid in any way connected with religion or religious instruction. Objections had been taken on the part of certain classes of Dissenters, which he should not have taken if he were in their situation, to the existing Minute of the Committee of the Privy Council on Education; and these existed to a very great extent. There were many schools throughout the country which required aid; but the managers of which were deeply impressed with the conscientious feeling that it was their duty to avoid not only the reality but the appearance of receiving any support from the State in connexion with religious instruction. They had expressed in the strongest terms the apprehensions they entertained at inspectors being appointed to examine into the religious instruction given in their schools, as they supposed that they might be considered to receive some support from the State in aid of religious instruction or worship. The Committee of the Privy Council adhered most strongly to the opinion that there must be religious instruction, in some form or other, in all schools which received any portion of the public money; but they would not enforce the visits of the inspectors to inquire into the religious instruction given in them, when conscientious objections were entertained. They would not enforce the visit of the inspectors in such cases as to religious instruction; but they would still inquire into the nature of the secular instruction there given. The nature of the objection was, that such inspection into religious matters was a violation of a principle for which they had always contended. Under these circumstances, by means of this Supplementary Minute, they would be able to extend aid to a very numerous class of schools in connexion with most religious communities. The utmost care would be taken that no aid should be given to any school in which religious instruction was not a part of the system of education. No grant also would be made by the Committee of the Privy Council until they were perfectly satisfied as to the respectability of the parties applying for it, and until they gave ample assurance as to religious instruction being imparted.

The BISHOP of LONDON, viewing, as he did, the proposed change as involving the risk of great danger, had heard with great satisfaction the question put by the noble Lord; but he certainly had not felt satisfied with the answer of the noble Marquess. He thought most injurious and dangerous consequences were involved in the course taken by the Government. The noble Marquess himself did not admit the soundness of the scruples said to be entertained by certain bodies of Dissenters. What was the nature of those scruples? It was, that if they received any portion of the public money for the purpose of aiding them in giving religious instruction to the younger members of their body, it would involve the breach of a rule of conscience; they, therefore, would not in the remotest manner allow any inspection as to the nature of the religious instruction imparted in their schools. So gross a fallacy was involved in this objection, that he was astonished to hear the noble Marquess acknowledge the validity of it. They would receive aid, it appeared, for the instruction of their children. Now, the most important part of education was religious instruction; and they said they would allow inquiry to be made into the manner of instructing the children in mathematics, or any other secular matter; but they would not allow any investigation or inspection to take place as to the nature of the religious instruction given by them. However they might exclaim against the visit of inspectors, when they received a portion of the grant they were in the fullest sense of the word receiving a grant for religious instruction; for such instruction was made essential in all schools. He was surprised that the Privy Council should have allowed itself to be blinded by the allegation of such an objection. It was clear the real objection was to prevent any visits whatever on the part of the inspectors. He did not see any grounds on which the Privy Council were justified in following the course which they did. He would not go into a general statement as to the opinions entertained by the Church, of which he was an humble member, as to this recent Minute; but he believed he only spoke the general feeling of the Church with respect to the Minutes of the Committee of the Privy Council on the subject of Education, when he said that they were not prepared to acquiesce in any modifications and additions from time to time to such Minutes, to suit the prejudices of certain classes of Dissenters. He would urge it upon Her Majesty's Ministers to consider that there was nothing in the compact between the Church and the Government on this subject which would allow the latter to infringe on those Minutes of the Privy Council which were prepared with so much care, and which it had been understood were to be fairly and fully carried out. He was utterly unprepared for such reasons as had been stated by the noble Marquess as a justification of the course taken by the Government. Such reasons ought not for a moment to be acted upon; for if they were, it was palpable there would not be a sect which would not object to the visits of the inspectors, which they would choose to allege involved inquiry into religious instruction. Let the Government take care of the nature of the exception they had been induced to make. This would prove a most dangerous instance of their severing inspection in secular and religious instruction. They might depend upon it that the adoption of the principle involved in the recent Minute, instead of tending to promote harmony, would excite in the strongest degree ill feeling and animosity.

LORD BEAUMONT said, that the more he heard and read on the subject, the more was he convinced of the number and magnitude of the difficulties which surrounded the Government in their attempts to carry out their wishes. He had listened with astonishment to the speech of the right rev. Prelate. He regretted the course which had been pursued by the Government with respect to the education grant to the sect to which he belonged; but he could not subscribe to charges so unjust as those brought by the right rev. Prelate. The right rev. Prelate said that the Government must not give money for educational purposes if not accompanied by religious instruction; but the right rev. Prelate inferred that the Government should not be a party to the instruction in religious tenets unless in connexion with the Established Church. The Dissenters wanted to see general education proposed; and all that they asked was, that, in doing so, their own religious opinions should not be interfered with. What did the right rev. Prelate seek to do? Did he wish the Government only to give money for education in connexion with the Church? Did he wish the Government to propagate the religious opinions of the Establishment, by means of this Parliamentary grant, intended for general education? He hoped next year the Government would return to their original benevolent intention, of extending the grant to all classes. It was a most difficult matter to deal with in this country, where there were from twenty to fifty different religious sects.

The BISHOP of LONDON said, that he objected to the principle of refusing the visits of the Government inspectors in any schools which received a portion of the public grant. Similar objections to those raised against the inspectors inquiring into the nature of the religious instruction given, would be urged against inspection into secular instruction, and on equally valid grounds. It was the duty of the Government to insist that religious instruction should form a part of the education given in any school receiving aid from the State. As a Christian Government, they were bound to insist on a Christian education being given in all those schools.

The EARL of MINTO knew that a pretty general feeling existed in Scotland in objection to the visits of the inspectors to the schools in connexion with religious instruction, although there was none as regarded secular instruction. Many most respectable persons objected to the interference of the State at all with religion. He did not defend the justice of the prejudices which existed on the subject; but it could not be denied that they pervaded a very large portion of the community. All they asked was, that on their receiving aid, the investigation of the inspectors should be limited to secular instruction, and that each sect should be left to give such religious instruction as it thought fit. The real question was, whether they were prepared to exclude from the benefit of any aid from an educational grant a large proportion of the most religious classes of society in this country.

LORD BROUGHAM said, these parties

had no conscientious scruples whatever against applying for the fund, or against taking as much of it as they could get; but they were too scrupulous to take it upon the conditions laid down by the Government. These scruples of conscience were never indicated until the money was received. They asked and they received, the conditions, being, of course, implied and understood; and when the funds were in their possession the conditions were rejected, and their conscience refused to allow them to act honourably. This was a mode of proceeding he did not very well understand. Who wished not, willed not, was a common maxim; and it was certainly not strictly honest to deny the self-imposed responsibility. Another reason he had to offer against the principle involved in these Minutes being carried into effect, was the objectionable species of legislation thus introduced. He considered it a dangerous precedent to legislate in matters of such paramount importance by Order in Council, instead of by Act of Parliament.

LORD STANLEY must express his regret and disappointment at the nature of the answer which had been made by the noble Marquess; and he must also express his earnest hope that the Minute (after the conversation which had taken place) would not be considered as finally arranged. It had been brought forward at so short a period before the prorogation of Parliament, that it could not be sufficiently discussed; and he trusted the Government would undertake not to act upon it until Parliament should have a full opportunity of pronouncing its opinion upon the character of this particular Minute. He was as free as any man could be to give way to, and make allowance for, conscientious scruples; but he must be satisfied that those conscientious scruples were in the first place founded on reason; and in the next place, if he gave way to conscientious scruples, he must be assured that he did not violate fundamental principles on his own part which he was bound to maintain. As to the reasonableness of those scruples, he conceived that the right rev. Prelate and the noble Lord behind him, had both of them exposed the sophistry and quibbling on which the objection appeared to be founded. Taking it either as a wholly unreasonable and a wholly sophistical quibble, or a pretended scruple, or a scruple without foundation—taking it as either —it was a distinction without a difference; those parties were ready to receive the money of the State, but at the same time refused to comply with a reasonable demand for an account of how they applied it; and the Government were bound not to give way to scruples which were wholly unreasonable. Or else, if there were nothing in that objection, then was there a concession to be made by the Government on a point of principle? Were they to withdraw altogether their control, and the security they had that religious instruction should be given in every school? Would they sanction the principle that they were to have nothing to do with inquiring whether in the schools to which their money was given, instruction in the principles of Christianity was to be afforded? If those constant alterations were to take place, and further alterations were to be made from day to day by simple Minutes of the Committee of Council; and if principles were to be infringed from mouth to mouth, and year to year; Parliament could have no permanent security for the principles on which they acted, or the grounds on which they sanctioned them.

The MARQUESS of LANSDOWNE saw no ground whatever for the objections urged by the noble Lord. Having been informed of the undoubtedly conscientious scruples of those numerous and most respectable bodies of Christians, he had not been prepared to insist upon compliance with the conditions imposed, in other cases, as to the religious education which would be imparted in the schools aided by grants from the State. It was not for him to interpret the exact conscientiousness of their scruples, or to ascertain the precise amount of reason by which they were guided. He believed them wrong; but he was not entitled to question their sincerity; and he thought it was too much in any man, however differing with them, to apply to their conduct the term "sophistry" or "quibbling." The Legislature had always been in the habit of respecting the scruples of those who disagreed with them. In matters of allegiance and oath-taking, we over and over again dispensed with the forms with which some portion of our fellow-citizens refused to comply; and, convinced as he was, that the control of the State in religious affairs was beneficial to the country and advantageous to the Government, he was yet not prepared to refuse assistance to the cause of education, merely because the details as to the religious instruction could not conscientiously be accepted in all cases. He did not think the noble

Lord had any ground for complaining of the time at which this Minute had been laid before Parliament. It had already received full consideration, and ample opportunity had been given for discussing it previous to the prorogation of Parliament.

Lord STANLEY did not care when it was laid before Parliament; the Supplementary Minute was only dated the 10th of the present month. About three weeks before the dissolution of Parliament, and when a general election was about to take place, the Committee of Council came to the determination that it was wise and expedient to agree to this Minute. The noble Marquess had said, that all scruples that were conscientious scruples, ought to be respected; and the inference from that would be, that you should demand no condition, for on the principle laid down by the noble Marquess, if there was one word in a condition that any human being could object to, they were to do away with that condition. That was doctrine to which he (Lord Stanley) would not assent.

Earl GREY said, he thought that no man should come into that House, and, speaking of a large body of his fellow-citizens, say that the scruples they entertained were sophistical. He denied the right of any man to hold language of that sort towards such a body of men. He thought they should feel the deepest interest in the subject of education. It was a disgrace and a scandal to them, that in the year 1847, so large a portion of the children of the British empire were growing up in ignorance. He believed there was actually a smaller proportion of the people of this country who could read or write than of the people of any other country in Europe. Nay, more, it was even stated that a larger proportion of the natives of New Zealand could read and write than of their own population. He thought the alterations which had been made by the rules adopted by the Privy Council were strictly proper and right, and would, he thought, carry into effect that which, from recent debates in the other House of Parliament, seemed to be the general opinion of the most enlightened persons on both sides.

Subject dropped.

POOR LAWS ADMINISTRATION BILL.

The Order of the Day having been read for considering the Commons' Reasons for disagreeing to one of the Lords' Amendments,

The Marquess of LANSDOWNE observed, that notwithstanding that he still adhered to the opinions which he had delivered respecting the various provisions of the Bill, when the measure was under the consideration of their Lordships, and notwithstanding that those opinions had been approved of by the great majority of their Lordships, he, nevertheless—regard being had to all the circumstances of the case—had no hesitation in asking their Lordships not to insist upon the Amendment they had made in the Bill, in reversion of an alteration agreed to by the other House. The Commons had so far deferred to the wishes of their Lordships as to acquiesce, at their instance, in an important Amendment, the effect of which would be to prevent boards of guardians from being converted into arenas of popular contention, to the great detriment of public business, and to the disgust, no doubt, of many respectable and influential persons who were now in the habit of attending those boards; and the question now arose, whether, having obtained that valuable concession, which in his opinion was absolutely necessrry to justify the passing of the Bill at all, they would now insist on the less important Amendment which their Lordships had made, by omitting that clause, the effect of which would be to prevent poor couples over sixty years of age from being received together into the workhouse. He had been all along of opinion that cases of a peculiar description might arise where it might be highly desirable that poor couples should not be separated; but he was inclined to think that the guardians were the safe, fit, and competent judges to decide upon such cases, and the more so as no cases of abuse with respect to the conduct of guardians had ever been alleged of such a character as to favour the supposition that if a discretionary power of that kind were entrusted to them, they would use it improperly, or show any indisposition to consult the feelings of the humblest persons who might appeal to their humanity. It was in that light that he had all along viewed the question. However, a feeling had certainly arisen amongst the friends of the poor, not only out of doors, but in the other House of Parliament, that if the Bill were passed in the precise shape in which it came from their Lordships' hands, sufficient protection in that respect would not be afforded to the poor, and that cases might arise where poor couples at an advaced period of life would be deprived of those comforts which were essential to their condition, and which could only be insured to them by taking care that they should not be separated from each other. That had been in a strong degree the feeling of the House of Commons, who, there could be no doubt, had acted from motives of humanity and benevolence. He had made inquiries on the subject, and was given to understand that the operation of the clause inserted by the Commons would not in all likelihood materially interfere with the administration of the Poor Law; and being convinced as he was that the clause had originated in a feeling of humanity and kindness towards the poor on the part of the other House of Parliament, he was prepared to submit to their Lordships whether it was expedient just at that moment for their Lordships to insist upon the Bill being restored to the form which it presented when it received their sanction on the third reading. He begged leave to move that their Lordships do not insist on their Amendment, but that on the contrary, they do acquiesce in the views of the other House.

The EARL of STRADBROKE objected to the retention of the clause for three reasons. First, because the House of Lords had already in the most positive and decided manner rejected it; secondly, because the clause itself was calculated to produce irregularity and relaxed discipline in workhouses; and, thirdly, because it was contrary to the expressed opinion of some of the highest authorities in the country, the very men who took a leading part in the passing of the law of 1834. He asked their Lordships whether it was decent—whether it was becoming—whether it was expedient now to adopt that which they had previously with unanimity rejected?

EARL GREY agreed with the noble Earl, and confessed that he did not think it right or expedient that the clause should be introduced in the Bill. At the same time he thought the noble Earl attached a greater degree of importance to it than it really possessed. The whole number of such old couples as the Bill applied to, was not, on an average, more than two in each union; and of these a considerable number were, by consent of the boards of guardians and the Commissioners, admitted to the privileges which this clause now sought to confer upon them. He begged their Lordships to remember that if they, upon this occasion, voted for the rejection of this clause, they were, in effect, rejecting the Bill altogether; for it would be quite impossible, at this late period of the Session, and under the present state of circumstances, to go into the whole Bill again. The usefulness of the Bill almost every noble Lord admitted. It would not be denied that a system of supervision was necessary; and those noble Lords who attached importance to the Bill of 1834 would, he knew, be cautious how they gave a vote which would be fatal to a measure by which the law of 1834 was to be efficiently administered. It was but too plain that in many parts of the country there was a tendency to the abuses which existed to such a fearful extent before the Bill of 1834 was passed; and if some such measure as the present was not passed, those abuses would become intolerable in the agricultural counties: in the south of England especially, there was so lax a supervision that many of those evils were apparent. The existence of the present superintendence would terminate in the next Session of Parliament; and he warned their Lordships of the consequences, if an electioneering cry were got up against the Poor Law. He feared that in too many instances Gentlemen anxious to secure popularity might join in that agitation; and his firm conviction was, that by throwing out this Bill they would in effect make the whole subject of Poor Law a question to be very seriously agitated at a very large proportion of the ensuing elections. They could not next year postpone the consideration of this question; and the new House of Commons might not be disposed to view it in the same light as the present one. They would be called upon to legislate upon this most grave and important subject. The Members of the other House being just fresh from the hustings, and, perhaps, having given pledges which, in his opinion, were contrary to the spirit of the Constitution—no one held a stronger opinion than himself upon the impropriety of these pledges—under such circumstances, therefore, considering the necessity of this Bill—looking at the future, and seeing how doubtful a matter it was that they would be able to get so good a Bill next Session as the present—considering that in the other clauses there was nothing exceptionable—considering that the Commons had already made concessions upon this Bill to this House; and thinking that the adoption of the clause would, after all, be productive of no great practical evil or inconvenience, he called upon their Lordships, as friends of the law of 1834, to agree to the clause.

The EARL of **RADNOR** said, the noble Earl who had just sat down called upon them to agree to this clause, and to pass this Bill, because in the next Session of Parliament, when the Members of the House of Commons came fresh from the elections to speak the voice of the people, it was not likely that a Bill so little objectionable as the present would be passed. The noble Earl talked about the unconstitutional nature of pledges; but he (the Earl of Radnor) confessed he did not think it very constitutional so to disregard the voice of the people. Their Lordships had already unanimously rejected this clause; and the noble Lord who proposed its rejection had not a word to say in its favour. The noble Earl recommended it because he thought it would produce but little mischief. But why should they insert a clause which would produce any mischief at all? Why should they insert a clause which they thought would not do good? He thought it would do great mischief—that it would relax that discipline which it was so necessary to maintain in the workhouses, and lead to all sorts of disorder and immorality. It would put it in the power of any "cantankersome" old couple to throw the whole workhouse into confusion and disorder. He would read a passage from the report of the Poor Law Commissioners on this very subject. The noble Lord then read a passage from a report signed by Sir F. Lewis, Mr. Lewis, jun., and Mr. Lefevre, in which it was stated that such indecency and immorality had occurred in workhouses where this privilege had been allowed, as were unfit to be mentioned in any public document. And where there were separate apartments provided for those couples, the result of the system showed that the ordinary workhouse rules could not be relaxed without leading to gross irregularity and improper intercourse between the sexes. The noble Lord went on to say that he was adverse to the introduction of the clause, because it would throw open the workhouses of this country to immorality and disorder, and be the first great step toward the breaking down of that discipline, order, and arrangement on which the existence of the present Poor Law depended. He trusted their Lordships would not so far forget what was due to themselves as to act contrary to their unanimous decision on a former occasion, merely because the House of Commons told them to do so.

The DUKE of **CLEVELAND** said, it had been stated that upon a former occasion this clause had been unanimously rejected. He was not present on that occasion else he would have publicly stated, as he now begged leave to do, his conscientious opinion, that the clause was a humane and a useful one, and ought to form a part of the Bill. It was with extreme regret he had learned that their Lordships had rejected that clause. He had some experience of the working of the Poor Law —he knew what the feelings of those old couples were, and how hard it was, after having lived together so long—after they had reared their children, when distress and poverty came upon them, to be separated from one another for the remainder of their days in a workhouse. A noble Lord had stated, that at present the boards of guardians had, with the concurrence of the Commissioners, power to grant this privilege; but he (the Duke of Cleveland) would rather see it a matter of right, for the sake of those poor old people, knowing, as he did, how very severely some boards of guardians acted. He was sorry to say that some of those boards acted in a very hard-hearted manner, and in many instances ought to feel ashamed of their conduct. Why should not, therefore, that discretion be taken out of their hands? Was it just or humane that the deserving old people, who, when no longer able to support themselves, and obliged to seek refuge in a workhouse, should be at the whim and caprice of a board of guardians, either to live together or to be separated for the remainder of their days? For these reasons he would support the Motion of the noble Marquess.

EARL **FORTESCUE** said, it was with great regret he felt himself obliged upon this occasion to oppose his noble Friend near him, as he was decidedly adverse, upon principle, to the retention of the clause. He did not apprehend that the adoption of it would lead to much practical inconvenience; but it would form a most dangerous precedent, and be positively hurtful to the administration of the Poor Law. There were 626 unions in the kingdom; but they had returns from only 368: one-fourth of that number were in Middlesex county; and by far the greater number of them were not subject to the provisions of the New Poor Law, being governed by local Acts. In 155 there were no married couples; and in 92 only one in each: in the whole 368 unions there were no more than 574 married couples. Therefore, he might say, there would be apparently no practical inconvenience from the adoption of the clause; but he thought it would be no sooner passed, than a great many married couples who were now living outside the doors of the workhouse, and receiving 2*s.* 6*d.* or 3*s.* parochial aid, and by their own industry supplying as much more as furnished subsistence, would crowd into the workhouse, and thus the rates would be heavily burdened, as well as the discipline of the workhouses necessarily relaxed. In fact, he thought its adoption would lead to the destruction of everything like common order and decency in the workhouses. He must, therefore, with whatever regret, oppose the introduction of the clause.

Lord REDESDALE thought their Lordships had just reason to complain of the conduct of the Government; for, instead of standing up for what was right, they deferred to the wishes of those who, to obtain popularity, supported this clause in the House of Commons, and asked their Lordships to disagree to that to which they had already unanimously agreed. Accusations had been brought against the Government of abandoning measures; but he thought this one much more serious, for it was abandonment of principle. The whole thing had been got up for electioneering purposes. He, as the chairman of a board of guardians, knew well that the adoption of the clause would lead to the greatest inconvenience; and that, in short, under the provisions of it there would be no such thing as maintaining due discipline in workhouses.

Lord STANLEY: And the clause has nothing to do with the object of the Bill.

Lord REDESDALE: Just so; and even if it had, why insert it if their Lordships thought it wrong or inexpedient, even supposing its rejection was to prove fatal to the Bill? But they had been told that a cry would be got up at the elections, and that pledges against the Poor Laws would be exacted from candidates; and these reasons were urged upon their Lordships to pass the present measure, and sanction the insertion of the clause. He thought such conduct highly unconstitutional. He entered his protest in the strongest manner against the Motion.

The Marquess of LANSDOWNE did not think it unconstitutional in that House to show some deference to the opinion of the House of Commons, which the Constitution supposed to speak the feelings of the people. The noble Lord talked about the conduct of the Government. He needed not to tell the noble Lord that Government was not all-powerful in the House of Commons—that it could not command majorities when it pleased; and, therefore, they could not be altogether answerable for the conduct of that House. Indeed, so strong was the feeling of the House in favour of this clause, that upon the last occasion there was not one even to call for a division. It was carried unanimously. Noble Lords talked about the disorder the concession of the privilege which the clause conferred would occasion; but he begged to remind them that the same powers which now existed would continue to exist for the punishment of refractory persons in workhouses of whatever description. That power lay with the boards of guardians; and there was nothing in this Bill which would prevent its full and complete exercise.

Lord REDESDALE explained. What he meant by saying that the Government had not acted constitutionally was, that they had asked their Lordships to consider that popular clamour which they themselves admitted to be wrong. The noble Marquess talked of the unanimity of the division in the House of Commons on the second occasion that this Bill came before them. It was that very unanimity of which he complained. Why did not one of the Colleagues of the noble Marquess in the other House move the rejection of the clause?

The Marquess of LANSDOWNE said, that he consented to the omission of the clause to give the House of Commons an opportunity of reconsidering the point. In doing so he thought he had acted wisely; and now that the Commons had reconsidered the question, and had displayed greater unanimity than before in favour of it, he thought he was acting equally wisely in asking their Lordships to concur in the re-insertion of the clause.

On Question not to insist, House divided:—Content 29; Not-Content 11: Majority 18.

List of the Contents.

Dukes.
Norfolk
Cleveland
St. Albans

Marquesses.
Lansdowne
Westminster
Clanricarde

EARLS.
Granville
Bessborough
Auckland
Minto
Grey
Leitrim
Charlemont
Meath
Fitzhardinge
Scarborough
Fingall

VISCOUNT.
Falkland

BISHOP.
St. Asaph

LORDS.
Foley
Campbell
Camoys
Cottenham
Stafford
Strafford
Colborne
Clifden
Carrington
Wharncliffe

Resolved in the *affirmative;* and Message sent to the Commons to acquaint them therewith.

THE BISHOPRIC OF MANCHESTER, ETC., BILL.

The MARQUESS of LANSDOWNE moved that their Lordships agree to the Commons' Amendments.

The BISHOP of ST. ASAPH said, that as regarded the subject of a seat in their Lordships' House, the arrangement was altogether founded on a compromise. The right by which he sat in that House was the oldest right, he believed, in the world, certainly it was older than the right by which any of their Lordships held their seats; but the right by which his successor would hold his seat would be dated from 1847, a circumstance which he thought constituted a real objection to the arrangement. He thought, however, it was wise to waive all subsidiary objections, in order that real good might be obtained. He believed it to be absolutely necessary that the number of bishops should be increased, and largely increased, because from practical experience he had known the advantages and blessings of a bishop being enabled to look after his diocese. He hoped also that the dioceses would be so divided as to assist in the furtherance of the great object of superintendence. He should regret exceedingly if any obstacles were thrown in the way of an increase taking place in the number of bishops.

LORD STANLEY said, that the arrangement by which a bishopric of Manchester was to be created now, and three other bishoprics subsequently, without the appendage of seats in the House of Lords, had been assented to by the rev. Bench in preference to that of having only a Bishop of Manchester with a seat in their Lordships' House. From what had fallen, however, from noble Lords who had addressed their Lordships, there was reason to anticipate that difficulty of a certain kind would be felt in carrying out the arragement which had met the sanction of the right rev. Prelates; and he wished, therefore, to have a distinct pledge from Her Majesty's Ministers that they would not fail to adhere to the arrangement gone into relative to the appointment at a fitting time of three more bishops.

The MARQUESS of LANSDOWNE said, that he considered the position of Her Majesty's Government to be the same now as it was previous to the alteration which had taken place, relative to the subsequent appointment of three new bishops.

Commons' Amendments agreed to.

NEW ZEALAND (No. 2) BILL.

EARL GREY having moved the Third Reading of this Bill,

LORD STANLEY rose, and said, that neither the appearance of the House nor the period of the Session offered any inducement to him to make any lengthened observations upon this Bill. The state of affairs in New Zealand had long been a matter of complaint; and his firm belief was that, so long as the affairs of that colony were conducted upon their present footing, dissatisfaction would continue. He thought that the papers on which this Bill was founded ought to have been laid before their Lordships before they were called upon to give their decision. Although he rejoiced to know that the affairs of New Zealand were conducted by a very able and excellent man, Governor Grey, who was remarkable for prudence, discretion, and firmness, yet he was convinced that the principle upon which the New Zealand Company was formed would be a source of perpetual difficulty and dissatisfaction; and he felt justified in saying this by the existence of two independent and conflicting authorities in that island. He confessed that he would see with satisfaction the day arrive (and he was confident it would arrive) when the Company would adopt the alternative which was given to them in the 19th Clause of this Bill, enabling them to surrender their property and their responsibility at once into the hands of Her Majesty's Government, when the affairs of that colony would be conducted upon the principle upon which all other colonies were conducted, namely, that of being subject to the direct control and consequently the direct responsibility of the Ministers of the Crown. And what were their Lordships about to do by this Bill? They were about to grant to the New Zealand Company a sum of 236,000*l.* (which would be entirely free from interest); and they would take for security a certain portion of the net profits which, after the discharge of certain expenses of the Company, might possibly be realized. That was the whole of the security which they had for the repayment of this loan of 236,000*l.* The Company at this moment had an unpaid-up capital of 100,000*l.*; but the Government, instead of calling upon the shareholders to pay it up, called upon the country to give them a loan of 236,000*l.*; and if, after the expiration of three years it should turn out that that money was lost, and the Company could not any longer carry on their business, they were at liberty to hand over their affairs and responsibilities to the Government in complete satisfaction of this loan. But the Government had no power to compel them to transfer their property to them before the expiration of three years, even if they saw them openly squandering the loan. And not only would the Company be freed from the payment of the loan in case of failure, but the Government also pledged itself to become responsible for all the liabilities to which the Company might be subject at the time of the transfer, which liability would have to be satisfied out of the treasury of the country. However, it appeared that the House of Commons, whose peculiar province it was to deal with these pecuniary matters, was satisfied with the proposal. He thought that it was far from being an economical or satisfactory arrangement. He had no doubt that to the New Zealand Company it was perfectly satisfactory. His belief was that the experiment would fail; indeed he sincerely hoped, for the ultimate benefit of New Zealand, that it would fail, and that the 19th Clause would be fully acted upon, as that would have the effect of transferring the affairs of New Zealand to the proper hands, viz., the Government.

Earl GREY: As the noble Lord who had just sat down intimated his intention of not voting against this Bill, he should not go into the details touched upon by him. In respect to the payment to the New Zealand Company, Government had only adopted the view determined upon by a Committee of the House of Commons. That Committee had been sitting the greater portion of the Session, and by a considerable majority they had come to the conclusions which had been embodied in the present Bill. It was supported, not only by the supporters of the present, but by many of the supporters of the late Government. The result of their deliberations had convinced him that there was a fair claim on the part of the Company to the sum which it was proposed to advance. The terms on which it was to be given were found fault with. It should be recollected, however, that for three years the Company was prohibited from taking any step without the sanction of the Government. The Company had expended a very large capital on this speculation—he believed upwards of 250,000*l.*—not one shilling of which could be recovered, unless efforts were made to promote colonisation. He believed that in the end the money to be advanced would be found to have been well spent, were a colony of industrious Englishmen to be fairly established in those islands, already so highly endowed by nature.

Bill read 3ª and passed.

House adjourned.

HOUSE OF COMMONS,

Thursday, July 22, 1847.

Minutes.] Petitions Presented. By Mr. Bankes, from Members of the Tunbridge Board of Guardians, for Alteration of the Law of Settlement.

MILLBANK PRISON AND THE HULKS.

Mr. T. S. DUNCOMBE said, he had given notice that he should call the attention of the House to the reports laid before Parliament during the present Session, on the state of the Millbank Prison, and the treatment of the convicts on board the hulks at Woolwich. His object was to ask his right hon. Friend the Secretary of State for the Home Department what the intentions of Her Majesty's Government were with regard to the recommendations contained in these reports? In consequence of his having brought forward the state of the Millbank Prison, a Commission was appointed, consisting of Lord Chichester, Lord Seymour, and Mr. Bickham Escott, to inquire into the manner in which the affairs of that prison were conducted. The Commissioners did not agree in their conclusions; and the result was that two reports were presented, one signed by Lord Chichester and Lord Seymour, and the other signed by Mr. Escott alone. Both reports, however, agreed in recommending that the present system of uniting the government and inspection under one head should be abolished, and that a new system of inspection should be established. What he wished to ask his right hon. Friend was, what the intentions of the Government were on this subject; and he wished also to take the opportunity of expressing a hope that a measure would be introduced next Session for placing this prison under a new system of government. The other inquiry, which was also instituted at his instance, was with regard to the medical treatment and the moral discipline pursued on board the hulks at Woolwich. On bringing the subject before the House originally, he described the abuses which he understood were permitted to exist in the establishment; and the explanation which Mr. Capper, the superintendent, sent in afterwards commenced with the words—"To all these charges I give the most distinct and explicit contradiction." In the subsequent inquiry, however, which was ordered by the right hon. Baronet, and which was conducted by Captain Williams, the charges which Mr. Capper had the audacity to deny in these terms, were all distinctly proved; and that person was himself obliged to admit that they were well founded. The establishment was shown to be in a state which was a disgrace to any civilized and Christian country. One of the abuses of which he complained was, that the overseers inflicted corporal punishment on the convicts, without reporting the matter afterwards to the superintendent. Mr. Capper denied that any such proceeding took place; and yet it appeared on the inquiry that it formed the regular practice of the place. The disgusting state of dirt and filth in which the convicts were kept, was fully proved; and the consequence was shown by the fact, that out of 600 convicts on board, no less than 257 were eaten up by scurvy. He thought Capper had shown himself to be a most unfit person to be entrusted with the care of such an establishment; and he wished to know what course Her Majesty's Government intended to pursue on the subject.

Sir GEORGE GREY said, in answer to his hon. Friend, he had in the first place to assure him, with regard to Millbank Prison, that he entirely concurred with the recommendation of the Commissioners, that the management should be separated from the system of inspection. A measure would be introduced next Session to effect that object, and it should have his entire approval. With regard to the hulks, he begged to say that the result of the investigation satisfied him that ample grounds existed for instituting a strict and searching inquiry into the management; and he regretted to add that very great irregularities existed. He believed that the infirmities occasioned by age and ill health of Mr. Capper, the superintendent of the convicts, prevented him from attending personally to his duties; and the consequence was that abuses and irregularities, some of them of great moment, had occurred, without having been brought under the attention of the Home Secretary. As to the future, he had only to state that it was intended to place the hulks under a system of inspection like the other prisons, and that new rules would be issued for their management. He hoped at a future time to see a barrack provided for the accommodation of the convicts, as his hon. Friend recommended. With regard to the medical attendance at the hulks, he thought it due to the gentleman in charge to state, that no instance either of cruelty or of harshness had been proved against him; but, at the same time, there could be no doubt but that it was desirable the medical man in charge of the establishment should be one who would be able to devote his whole time and attention to the duties of the office. He would not at present go further into the question; but he could assure his hon. Friend that in the interval before next Session, he would devote his best attention to the matter.

House adjourned at half-past Three o'clock.

HOUSE OF LORDS,

Friday, July 23, 1847.

Minutes.] Public Bills.—*Received the Royal Assent.*—Consolidated Fund (Appropriation); Bishopric of Manchester, &c.; Poor Laws Administration; Poor Removal Act Amendment (No. 2); Commons Inclosure (No. 3); New Zealand (No. 2); Drainage of Lands (Scotland); Leith Harbour and Docks; London Bridge Approaches Fund.

PROROGATION OF THE PARLIAMENT.

This day being appointed for the Prorogation of the Parliament by Her Majesty in Person, the necessary arrangements were made for Her Majesty's reception. This being the first occasion on which this august ceremonial has taken place in the New House, the preparations were of a most magnificent character, and the benches were crowded with Peers, Peeresses, and Members of the Diplomatic Corps.

Her Majesty entered the House, accompanied by the PRINCE ALBERT, and attended by the Great Officers of State, shortly after Two o'clock, and being seated on the Throne, and the Commons (who were sent for) being come with their Speaker, he made the following speech to Her Majesty:—

"MOST GRACIOUS SOVEREIGN,

"We, your Majesty's faithful Commons, attend your Majesty with the Bill by which the Supplies are completed for the present year. They have been granted with a strict regard to economy, as also with a disposition to make ample provision for all branches of the public service.

"During the progress of the Session which is now about to terminate, we have maturely considered various measures for the practical improvement of the law, and for the amelioration of the moral and social condition of the people. And where it has not been possible to bring these measures to a satisfactory conclusion, we hope to have prepared the way for sound and useful legislation in future Sessions of Parliament.

"We have passed Acts to regulate the disposition and transfer of lands in Scotland, and whilst carefully adhering to the established principles of law, we have given increased facilities for dealing with real property in that country, which must tend greatly to increase its security and value.

"We have found it necessary to place a further limitation on the hours of labour of young persons employed in factories; and by giving more time and opportunity for their religious and moral instruction, and the exercise of their domestic duties, we have elevated the character and condition of a large and industrious class engaged in manufacturing operations.

"There is, however, one subject of paramount importance to which your Majesty was graciously pleased to direct our attention at the commencement of the Session, and which called for long and anxious deliberation.

"For many months past your Majesty's subjects in Ireland have been suffering from the combined effects of famine and its too frequent consequence—disease; requiring large pecuniary aid, and prompt and energetic measures to arrest their fatal progress, and to prevent an almost total disorganization of society in many parts of that kingdom.

"No exertion has been wanting on our part to meet this terrible calamity. Every restriction on the importation of food has been suspended, and every resource of legislation employed, to mitigate what no human wisdom could avert—this awful visitation of Divine Providence. Nor, in providing for this emergency, have we been unmindful of the permanent welfare of that important part of the United Kingdom. We have encouraged the development of its vast capabilities and the industry of its inhabitants, by giving every possible stimulus to public and private enterprise, whether directed to the improvement of land, or to the establishment and construction of fisheries and harbours; and, profiting by past experience, we have extended and rendered more effective the provisions of the law for the relief of the destitute poor, thereby bringing into new and closer relations, and connecting by ties of mutual interest, the proprietor and cultivator of the soil.

"To those measures for the temporary relief and for the permanent improvement of Ireland, our labours have been assiduously devoted; and nobly and generously have our efforts been responded to by all classes of your Majesty's subjects, who, following your Majesty's gracious and benevolent example, from the highest in the realm to the humblest, have made every sacrifice which the urgency of the case demanded to alleviate sufferings unexampled in their intensity, and borne with a fortitude and resignation equally unexampled by that afflicted and loyal people.

"We now tender to your Majesty a Bill

for appropriating the various sums voted out of the Consolidated Fund, to which we humbly beg your Majesty's Royal Assent."

And the Royal Assent having been given to several Bills, Her Majesty was then pleased to make a most Gracious Speech to both Houses of Parliament; as follows:—

" *My Lords and Gentlemen,*

" I have much Satisfaction in being able to release you from the Duties of a laborious and anxious Session. I cannot take leave of you without expressing My grateful Sense of the Assiduity and Zeal with which you have applied yourselves to the Consideration of the public Interests.

" Your Attention has been principally directed to the Measures of immediate Relief which a great and unprecedented Calamity rendered necessary.

" I have given my cheerful Assent to those Laws which, by allowing the free Admission of Grain, and by affording Facilities for the Use of Sugar in Breweries and Distilleries, tend to increase the Quantity of Human Food, and to promote Commercial Intercourse.

" I rejoice to find that you have in no Instance proposed new Restrictions, or interfered with the Liberty of Foreign or internal Trade, as a Mode of relieving Distress. I feel assured that such Measures are generally ineffectual, and in some Cases aggravate the Evils for the Alleviation of which they are adopted.

" I cordially approve of the Acts of large and liberal Bounty by which you have assuaged the Sufferings of My *Irish* Subjects. I have also readily given My Sanction to a Law to make better Provision for the permanent Relief of the Destitute in *Ireland.* I have likewise given my Assent to various Bills calculated to promote the Agriculture and develop the Industry of that Portion of the United Kingdom. My Attention shall be directed to such further Measures as may be conducive to those salutary Purposes.

" My Relations with Foreign Powers continue to inspire Me with Confidence in the Maintenance of Peace.

" It has afforded Me great Satisfaction to find that the Measures which, in concert with the King of the *French,* the Queen of *Spain,* and the Queen of *Portugal,* I have taken for the Pacification of *Portugal,* have been attended with Success, and that the Civil War which for many Months had afflicted that Country has at last been brought to a bloodless termination.

" I indulge the Hope that future Differences between political Parties in that Country may be settled without an Appeal to Arms.

" *Gentlemen of the House of Commons,*

" I thank you for your Willingness in granting Me the necessary Supplies; they shall be applied with due Care and Economy to the Public Service.

" I am happy to inform you, that, notwithstanding the high Price of Food, the Revenue has, up to the present Time, been more productive than I had Reason to anticipate. The increased Use of Articles of general Consumption has chiefly contributed to this result. The Revenue derived from Sugar, especially, has been greatly augmented by the Removal of the prohibitory Duties on Foreign Sugar.

" The various Grants which you

have made for Education in the United Kingdom, will, I trust, be conducive to the Religious and Moral Improvement of My People.

"*My Lords and Gentlemen,*

"I think proper to inform you, that it is my intention immediately to dissolve the present Parliament.

"I rely with Confidence on the Loyalty to the Throne and Attachment to the free Institutions of this Country which animate the great Body of My People. I join with them in Supplications to Almighty God, that the Dearth by which we have been afflicted may, by the Divine Blessing, be converted into Cheapness and Plenty."

Then the LORD CHANCELLOR, by Her Majesty's Command said—

"*My Lords and Gentlemen,*

"It is Her Majesty's Royal Will and Pleasure, That this Parliament be prorogued to Tuesday the Twenty-first Day of September next, to be then here holden; and this Parliament is accordingly prorogued to Tuesday the Twenty-first Day of September next."

HOUSE OF COMMONS,

Friday, July 23, 1847.

NEW HOUSE OF COMMONS.

LORD M. HILL appeared at the bar, and said: I have had the honour of presenting to Her Majesty the Address of this honourable House, with respect to the completion of the new Palace of Westminster, which Her Majesty has most graciously received, and to which Her Majesty has returned the following Answer:—

"I have received your Address respecting the New House of Commons, and the Buildings connected therewith. It is My anxious wish that there should not be any unnecessary delay in the completion of the Buildings for the permanent use and occupation of the Members of the House, and I will give directions accordingly.

EFFECTS OF SLAVE EMANCIPATION.

LORD G. BENTINCK said: Sir, there are appearances in the political horizon which betoken that it is not likely I shall be able to obtain a Select Committee in the present Session. That being the case, it will be my intention at the earliest possible period of the next Session, should I have the honour of a seat in this House, to ask for a Select Committee to inquire into the state of the colonies of the West Indies, as regards their present power to compete with those countries which have still the advantage of the enforced labour of the slaves. If ever there was a doubt in the mind of any man that it would not be possible with the free labour of the negroes for our West Indian colonists to compete with those who have the advantage of slave labour, that doubt must be set at rest by a return which has been just laid upon the Table of the House. From that return it appears that in 1831, at the time it was proposed to emancipate the slaves, the produce of the West Indian colonies and British Guiana was 4,103,800 cwts. of sugar; and that in 1846 it was only 2,152,155 cwts. There was, however, still a greater falling off in the production of rum. Rum, of which the produce in 1831 was 7,844,159 gallons, had fallen to 2,826,455 gallons in 1846. In coffees, also, an equal falling off had occurred, as in 1831 the produce was 20,030,802 lb., and in 1846 only 6,257,764. So that of sugar the production had been reduced one-half; of rum, it had been reduced nearly to one-fourth; and of coffee, nearly to one-fourth. This is proof irrefragable, that since the emancipation of the slaves in the West Indies, the planters have not been able to produce the same quantity that they could before; and when we consider what this difference is, it will be seen that if I estimated the reduced produce at 2,000,000*l*. a year, I should be far below the mark; and when I say that 20,000,000*l*. was no sufficient compensation, no man, I think, can charge me with at all exaggerating the claims of the planters. Last year you passed an Act—an Act of bad faith as they allege—an Act which, after spending 20,000,000*l*. to do away with the mitigated slavery of the West Indies, was an Act to give encouragement and a stimulus to the employment of slaves in foreign colonies. It was alleged by these West Indians then that it would not be possible for them to compete with slave labour. That proposition was disputed in this House; but we have already a sufficient proof that the West Indies will be overwhelmed by that competition. By the returns to which I have alluded, it appears that while the importation of foreign sugar has increased from 237,197 cwts. in 1845, to 849,590 cwts. in 1847, that the quantity entered for home consumption has increased from 30,495 cwts. in 1845, to 570,680 cwts. in 1847. I am speaking of the first five months of the years 1845, 1846, and 1847. While the imports have increased in 1847 as compared with 1845 from 1,926,320 cwts. to 3,020,851 cwts.; and, as compared with 1846, from 2,131,168 cwts.; showing an increase in the imports of this country in the first five months of the present year of 1,094,531 cwts. as compared with 1845, and of 889,683 cwts. as compared with last year. The home consumption of foreign sugar has increased from 30,495 cwts. to 570,680 cwts., a difference of 554,625 cwts., while the consumption of sugar from the British possessions has fallen off to the extent of 138,978 cwts. as compared with last year, and of 68,062 cwts. as compared with 1845. Thus, while of British colonial sugar the importation in 1847 has increased 482,138 cwts. as compared with 1845, the falling off of the home consumption of that sugar has been 68,062 cwts. in face of an increase in the consumption of slave-grown sugar of 554,603 cwts. The conclusion to be drawn from these comparisons is, that the planters of the West Indies are not in a condition to enter into competition with slave-grown sugar. And when we look at the enormous increase which has taken place in the consumption of slave-grown sugar in the face of 7*s.* per cwt. differential duty, what must it be next year when that duty is to be reduced to 6*s.*, or in the following years, in each of which 1*s.* 6*d.* is to be taken off until it is admitted, not as last year at a duty 50 per cent higher than the produce of our colonies; but on terms of full equality? It seems perfectly clear that the effect of repealing these laws must be the ruin of the West India colonists. In a Select Committee—as I intend to move for a Select Committee to inquire into these subjects—I propose not only to inquire whether it would not be wiser to maintain the present differential duty; but I propose to enter into another consideration. I propose to inquire whether, instead of spending 1,000,000 sterling a year, as it is estimated by the hon. Member for Montrose, to put down the slave trade by force of arms, it would not be better to expend some portion of that sum to put down slavery by assisting the West Indian colonists to obtain free labour. As it is, this million a year, expended in trying to suppress slavery by force, has failed; and as, on the contrary, it has afforded a stimulus to the exertions of those who carry on this inhuman traffic to obtain slaves, it appears to me that the more reasonable mode to repress slavery is by increasing the cheapness of labour, and by encouraging and assisting the importation of free labourers into the West Indies, and thus beating down the slave-owner in his own market. I say we have stimulated the slave trade by our measures, and greatly enhanced the sufferings of the slaves in the Brazilian and Spanish States. I have been informed on indisputable authority, that the value of slaves has been greatly increased in Cuba during the last year, and that a hundred pounds a head is the price now obtained for every male slave, and three pounds each hush money to the Governor of Havannah. The slaves, too (imported in the proportions of 100 males to eight females), are forced now to labour eighteen out of the twenty-four hours under the fear of the whip; and the suicides that occur are beyond the reach of the imagination to conceive, while the average duration of life of the slaves in Cuba is only five years, and in the Brazils six years. The statements are made to me on authority that I can trust; and I hope the attention of the country may be drawn to the subject at the coming election. I hope, also, that the ensuing Parliament will consider whether at a less cost than half of the million now expended, it will not be possible to defeat this inhuman traffic by depriving it of its profit, and by encouraging on lower terms the introduction of free labour into the West Indian colonies. If this be done, I trust also that the West Indian colonists will be able to carry on, by their free labourers, the cultivation of their sugar and coffee as cheaply as those who employ slaves. Having made these few observations, I will conclude by stating that it is my intention, at an early period next Session, to ask for a Select Committee to inquire into the subject. The noble Lord concluded by moving—

"That a Select Committee be appointed to take into consideration the Petition from the Island of Jamaica, presented 21st July."

Mr. B. HAWES had no doubt that this

topic would attract some attention during the ensuing general election, and he hoped that this would be the case. He hoped that the country would clearly understand that the policy of this Parliament having been to reduce the prices of all the great necessaries of life, the object and aim of the noble Lord was to prevent the public from having the fullest supply of sugar at the lowest possible prices which unrestricted competition in our markets was likely to produce. The object of the noble Lord, as it had now been palpably confessed, was to revive the old principle of protection in favour of sugar; to enhance the price of that necessary article, and so diminish the comforts and happiness of the poorer portion of our own population. If the noble Lord meant that the planters should have assistance from the public Exchequer to secure labour for the colonies, he would only say that a principle more objectionable or more unjust could hardly be propounded. The noble Lord had confined his attention to the West India Islands; but let him turn to the Mauritius, and he would find that there the greatest prosperity was manifest, and that the production of sugar had immensely increased. He would ask, if it was for a moment to be supposed, that these petitioners could be favoured by the admission of their produce free of duty. [Lord G. BENTINCK had not made any proposition of that kind, but simply that an inquiry should be entered into.] He was drawing the attention of the House to the petition, and he found that one of its prayers was, that the petitioners should be permitted to have their sugar imported duty free. But, at all events, the noble Lord was in favour of at least 50 per cent being imposed as a protection to the West India planters. Now, if they were to refer to the entire history of the West India colonies, they would find that more complaints were made in that House on the part of the planters during the most palmy days of protection, than had been heard of late years; and the noble Lord might rest satisfied that a system of free trade and open competition would be most beneficial for all parties concerned; that it would lead to greater economy of production, be the means of embarking more capital in the growth and manufacture of sugar, and tend to the general prosperity of the whole population. When the noble Lord made his Motion next Session, it would then be time enough to enter fully upon this question; but in the mean time, he must say, that nothing could be more injurious than to interfere with the arrangements which had been already resolved upon. He did not deny that the subject was one of difficulty; but he hoped that the House would never again submit to the establishment of the old system of protection.

MR. BORTHWICK considered the speech of the noble Lord (Lord G. Bentinck) as not so much a speech in favour of protection as usually understood in that House, but for protection to human life and human freedom. He hoped that next Session of Parliament the noble Lord would not fail to bring the whole subject before the House, and that it would receive that attention which its great importance demanded.

Motion withdrawn.

SALE OF BREAD.

MR. BANKES, pursuant to notice, rose to bring under the consideration of the House the petition of the Rev. Harry Farr Yeatman, relative to the sale of bread. The petitioner was a magistrate in the county of Dorset for upwards of thirty years; and he complained that there existed no legal protection for the poor in respect to the sale of bread. He hoped his hon. and learned Friend the Solicitor General would inform the House whether the state of the law, as detailed at length in the petition, were not as described, and whether it were right the poor should be left exposed to the liability of becoming the victims of unprincipled men following the trade of bakers. He did not mean that bakers generally were more unprincipled than the followers of other trades and professions, including the profession of the law itself; but what he wanted was that a system of protection should be instituted in favour of the poor and of the honest tradesman, against the acts of dishonest traders. The petitioner stated that—

> "In proof of the extent to which the fraudulent sale of bread 'deficient in its due weight' might be carried, and (as a consequence) of the extent to which the consumer and the labouring classes might be robbed and cheated of their just rights and dues, your petitioner would beg permission to declare that no less than eighty loaves all 'deficient in due weight,' and some to the extent of five ounces each loaf, were at one and the same time, under the provisions of 59th George III., cap. 36, produced before your petitioner for adjudication, and proved on oath to have been sold and delivered by a single baker; for which offence the full penalty of five shillings per ounce with costs was inflicted by your petitioner in his judicial capacity; whilst your petitioner would remark, and would earnestly direct the attention of your hon.

House to the fact, that, at this present precise and exact time and period, and week after week, and in every week, loaves are now sold and delivered by the bakers in this part of the county of Dorset, and delivered to the paupers who 'receive relief in kind,' under the existing poor law, which loaves have recently been weighed and proved to be deficient to the extent of five and even six ounces each loaf, thus causing serious loss to the consumers in general, to the ratepayers of parishes in unions, and in many instances to the extent of fifty or sixty ounces of bread; that is to say, to the extent of three loaves and twelve-sixteenths per week to the labouring man with a large family, and this too with perfect impunity to the persevering and guilty offender under the existing law."

It appeared there was no mode of punishing a baker who had loaves under the nominal weight for which they were sold, except by an action for fraud, which of course was beyond the means of a poor man. The petitioner, alluding to this matter, said that the

—"provision and regulations of the statute are entirely inoperative, and lead to no useful result whatever; for, although by the 4th section of the 6th and 7th William IV., cap. 37, it is enacted 'That from and after the commencement of this Act, all bread sold beyond the limits aforesaid, namely, the city of London, shall be sold by the several bakers or sellers of bread respectively, beyond the said limits, by weight; and in case any baker or seller of bread shall sell, or cause to be sold, bread in any other manner than by weight, then, and in such case, every baker or seller of bread, shall for every such offence forfeit and pay any sum not exceeding forty shillings;' yet your petitioner would humbly complain that no penalty is imposed by this statute on the baker or seller of bread, who sells, or causes to be sold, bread, which is of a less specific weight than that which the loaf offered for sale purports, or is represented to be, or which shall be delivered 'deficient in its due weight' to the public consumer (as it was enacted and directed by the wholesome statute of 59th George III., cap. 36, sec. 11, a statute which has been repealed by 6th and 7th William IV., cap. 37, aforesaid); it being therefore certain, and of daily occurrence, that the baker and seller of bread can defraud the consumer, and the poor man especially, to any extent with perfect impunity, and thus derive great gain from dishonest trading in this department; it being also certain that the essential value of bread, as an article of consumption, depends as much upon the intrinsic weight of the loaf which is delivered, as upon the money price which is demanded or received for the loaf thus sold."

He should beg, in conclusion, to move, that a Select Committee be appointed to consider the allegations contained in the petition.

SIR DE LACY EVANS said, the hon. Member did not complain so much of a want of legal enactments as of the want of the means to enforce them. What the hon. Gentleman wished to see restored, was the old system of summary jurisdiction in magistrates; but there was no reason why such a system of law should be enforced against bakers more than against other persons. He begged to deny that any combination existed among the bakers of the metropolis; and the best proof of the fact was, that there often was as much as 4*d*. difference in the price of the same weight of bread in different parts of the metropolis at the same time. The hon, Member might as well call for a law to prevent a Stultz from charging more for a suit of clothes than any other tailor, as to oblige the bakers of the west end to sell bread at the same price as the bakers at Whitechapel.

MR. G. HEATHCOTE said, he would only make the single remark, that he did not think Parliament could better employ the last moments of its existence than by directing its attention to a subject of so much practical importance to the poor.

The SOLICITOR GENERAL said, he did not believe the frauds of the bakers were so general as the hon. Member, who brought forward the Motion, supposed. If the poor were generally defrauded in the manner mentioned in the petition, he thought the House would have heard some allusion to the matter from persons connected with the administration of the poor law, and from hon. Members during the recent poor-law debates.

VISCOUNT PALMERSTON said, at the close, not only of the Session, but of the Parliament, it would not be seemly, but would cast, he thought, ridicule upon this House, if his hon. Friend (Mr. Bankes) persisted in pressing his Motion to a division. His hon. Friend proposed to appoint a Committee to inquire into a complicated subject of political economy, connected with the ordinary transactions of life. It was exceedingly well for his hon. Friend to make such a Motion, and to deliver a speech with a view of expressing his opinion upon the subject of political economy to which the Motion related; but it would be acting like a set of schoolboys, if, when the Black Rod appeared, they were in the lobby instead of being ready to attend the Speaker to the other House. He hoped, therefore, that his hon. Friend would not put his Motion to the test of a division. They had heard indeed of a combination amongst a certain body, and a Committee was asked for to inquire into that subject, and not one argument had been urged that would justify such a Motion. Situated as we are (continued the noble Lord), instead of following you, Sir, to another place, if we go to a division, we should, when summoned, be occupied with tellers counting us in the lobby and in the House —a situation in which the House would not, at such a moment, like to find itself placed. Sir, I will not trouble the House by reading through the whole of this petition; but the last paragraph is of great importance—

PROROGATION AND DISSOLUTION OF PARLIAMENT.

The Gentleman Usher of the Black Rod summoned the House to attend the Queen in the House of Peers; and Mr. Speaker, followed by a crowd of Members, immediately obeyed the summons.

In about a quarter of an hour the right hon. Gentleman returned without the mace, and, standing at the Table, read Her Majesty's Speech to the Members standing around. After which they retired, the Parliament having been prorogued. In the course of the afternoon the Parliament was dissolved by proclamation.

TABLE OF STATUTES.

A TABLE OF ALL THE STATUTES

Passed in the SEVENTH Session of the FOURTEENTH Parliament of the United Kingdom of *Great Britain* and *Ireland.*

10° & 11° *VICT.*

PUBLIC GENERAL ACTS.

I. AN Act to suspend, until the First Day of *September* One thousand eight hundred and forty-seven, the Duties on the Importation of Corn.

II. An Act to allow, until the First Day of *September* One thousand eight hundred and forty-seven, the Importation of Corn from any Country in Foreign Ships.

III. An Act to suspend, until the First Day of *September* One thousand eight hundred and forty-seven, the Duties on the Importation of Buck Wheat, Buck Wheat Meal, Maize or *Indian* Corn, *Indian* Corn Meal, and Rice.

IV. An Act for abolishing Poundage on *Chelsea* Pensions.

V. An Act to allow the Use of Sugar in the brewing of Beer.

VI. An Act to further encourage the Distillation of Spirits from Sugar in the United Kingdom.

VII. An Act for the temporary Relief of destitute Persons in *Ireland.*

VIII. An Act to apply the Sum of Eight Millions out of the Consolidated Fund to the Service of the Year One thousand eight hundred and forty-seven.

IX. An Act for raising the Sum of Eight Millions by way of Annuities.

X. An Act to render valid certain Proceedings for the Relief of Distress in *Ireland*, by Employment of the Labouring Poor, and to indemnify those who have acted in such Proceedings.

XI. An Act to explain and amend the Act authorizing the Advance of Money for the Improvement of Land by Drainage in *Great Britain.*

XII. An Act for punishing Mutiny and Desertion, and for the better Payment of the Army and their Quarters.

XIII. An Act for the Regulation of Her Majesty's Royal Marine Forces while on Shore.

XIV. An Act for consolidating in One Act certain Provisions usually contained in Acts for constructing or regulating Markets and Fairs.

XV. An Act for consolidating in One Act certain Provisions usually contained in Acts authorizing the making of Gasworks for supplying Towns with Gas.

XVI. An Act for consolidating in One Act certain Provisions usually contained in Acts with respect to the Constitution and Regulation of Bodies of Commissioners appointed for carrying on Undertakings of a public Nature.

XVII. An Act for consolidating in One Act certain Provisions usually contained in Acts authorizing the making of Waterworks for supplying Towns with Water.

XVIII. An Act to indemnify such Persons in the United Kingdom as have omitted to qualify themselves for Offices and Employments, and to extend the Time limited for those Purposes respectively until the Twenty-fifth Day of *March* One thousand eight hundred and forty-eight.

XIX. An Act for raising the Sum of Eighteen millions three hundred and ten thousand seven hundred Pounds by Exchequer Bills, for the Service of the Year One thousand eight hundred and forty-seven.

XX. An Act to authorize the Application of certain Sums received on account of the Fees payable to the Office of Director in Chancery in

Scotland towards the Payment of Debts incurred in completing the General Register House at *Edinburgh.*

XXI. An Act to regulate the Stations of Soldiers during Parliamentary Elections.

XXII. An Act to amend, and continue until the First Day of *November* One thousand eight hundred and forty-seven, and to the End of the then next Session of Parliament, an Act for making Provision for the Treatment of poor Persons afflicted with Fever in *Ireland.*

XXIII. An Act to alter certain Duties of Customs.

XXIV. An Act to empower the Commissioners of Her Majesty's Woods to purchase Land for the Purposes of a Harbour of Refuge and Breakwater in the *Isle of Portland* in the County of *Dorset.*

XXV. An Act to authorize the Inclosure of certain Lands, in pursuance of the Second Report of the Inclosure Commissioners for *England* and *Wales.*

XXVI. An Act for enabling the Commissioners of Public Works in *Ireland* to purchase Land for Prisons in *Ireland.*

XXVII. An Act for consolidating in One Act certain Provisions usually contained in Acts authorizing the making and improving of Harbours, Docks, and Piers.

XXVIII. An Act to amend the Acts relating to County Buildings.

XXIX. An Act to limit the Hours of Labour of young Persons and Females in Factories.

XXX. An Act for extending the Period of Service of Boys in Her Majesty's Navy.

XXXI. An Act to make further Provision for the Relief of the destitute Poor in *Ireland.*

XXXII. An Act to facilitate the Improvement of Landed Property in *Ireland.*

XXXIII. An Act to amend the Laws relating to the Removal of poor Persons from *England* and *Scotland.*

XXXIV. An Act for consolidating in One Act certain Provisions usually contained in Acts for paving, draining, cleansing, lighting, and improving Towns.

XXXV. An Act to continue until the Thirty-first Day of *July* One thousand eight hundred and forty-eight, and to the End of the then Session of Parliament, certain Acts for regulating Turnpike Roads in *Ireland.*

XXXVI. An Act for allowing the Subscriptions to the Loan of Eight Millions raised in the Year One thousand eight hundred and forty-seven to be paid up under Discount.

XXXVII. An Act for limiting the Time of Service in the Army.

XXXVIII. An Act to facilitate the Drainage of Lands in *England* and *Wales.*

XXXIX. An Act to amend an Act to enable Burghs in *Scotland* to establish a general System of Police, and another Act for providing for the Appointment and Election of Magistrates and Councillors for certain Burghs and Towns of *Scotland.*

XL. An Act to continue until the Thirty-first Day of *July* One thousand eight hundred and forty-eight, and to the End of the then next Session of Parliament, an Act of the Fifth and Sixth Years of Her present Majesty, for amending the Law relative to private Lunatic Asylums in *Ireland.*

XLI. An Act to continue until the Thirty-first Day of *July* One thousand eight hundred and forty-eight, and to the End of the then next Session of Parliament, certain of the Allowances of the Duty of Excise on Soap used in Manufactures.

XLII. An Act to transfer the Collection and Management of the Duties in respect of Stage Carriages, Hackney Carriages, and Railway Passengers from the Commissioners of Stamps and Taxes to the Commissioners of Excise.

XLIII. An Act for the Amendment of the Laws relating to the Provision and Regulation of Lunatic Asylums for Counties and Boroughs in *England.*

XLIV. An Act to render permanent certain Parts of the Act for Amending the Constitution of the Government of *Newfoundland.*

XLV. An Act to authorize for One Year, and to the End of the then next Session of Parliament, the Removal of Prisoners from the several Gaols in *Ireland* in Cases of epidemic Diseases.

XLVI. An Act to facilitate the temporary Investment of Trust Monies in the Improvement of Landed Property in *Ireland.*

XLVII. An Act to amend the Law and Practice in *Scotland* as to the Service of Heirs.

XLVIII. An Act to facilitate the Transference of Lands and other Heritages in *Scotland* not held in Burgage Tenure.

XLIX. An Act to facilitate the Transference of Lands and other Heritages in *Scotland* held in Burgage Tenure.

L. An Act to facilitate the Constitution and Transmission of Heritable Securities for Debt in *Scotland*, and to render the same more effectual for the Recovery of Debts.

LI. An Act to amend the Practice in *Scotland* with regard to Crown Charters and Precepts from Chancery.

LII. An Act for the Correction of certain Abuses which have frequently prevailed at the Elections of Representative Peers for *Scotland.*

LIII. An Act to continue until the First Day of *October* One thousand eight hundred and forty-eight, and to the End of the then next Session of Parliament, an Act to amend the Laws relating to Loan Societies.

LIV. An Act to amend the Acts for rendering effective the Service of the *Chelsea* and *Greenwich* Out-Pensioners.

LV. An Act to authorize a further Advance of Money for the Relief of destitute Persons in *Ireland.*

LVI. An Act to make legal the Collection of certain Duties at *Port Natal.*

LVII. An Act to amend an Act passed in the Sixth Year of the Reign of His Majesty King *George* the Fourth, for granting certain Powers and Authorities to the *Van Diemen's Land* Company.

LVIII. An Act to remove Doubts as to Quakers and Jews Marriages solemnized before certain Periods.

LIX. An Act for amending an Act, intituled *An Act for amending, explaining, and reducing into One Act of Parliament the Laws relating to the Government of His Majesty's Ships, Vessels, and Forces by Sea.*

LX. An Act to abolish One of the Offices of Master in Ordinary of the High Court of Chancery.

LXI. An Act to amend the Act for the Establishment of public Baths and Wash-houses.

LXII. An Act for the Establishment of Naval Prisons, and for the Prevention of Desertion from Her Majesty's Navy.

LXIII. An Act for limiting the Time of Service in the Royal Marine Forces.

LXIV. An Act to suspend until the First Day of *March* One thousand eight hundred and forty-eight the Duties on the Importation of Corn, Maize, Rice, Grain, Meal, Flour, Biscuit, and certain other similar Articles.

LXV. An Act for consolidating in One Act certain Provisions usually contained in Acts authorizing the making of Cemeteries.

LXVI. An Act for extending the Provisions of the Law respecting Threatening Letters and accusing Parties with a view to extort Money.

LXVII. An Act to amend the Law as to the Custody of Offenders.

LXVIII. An Act to suspend until the First Day of *October* One thousand eight hundred and forty-eight the making of Lists and the Ballots and Enrolments for the Militia of the United Kingdom.

LXIX. An Act for the more effectual Taxation of Costs on Private Bills in the House of Commons.

LXX. An Act to amend the Law as to the School Attendance of Children employed in Print Works.

LXXI. An Act to authorize Her Majesty to assent to a certain Bill of the Legislative Council and Assembly of the Province of *Canada*, for granting a Civil List to Her Majesty; and to repeal certain Parts of an Act for re-uniting the Provinces of *Upper* and *Lower Canada*, and for the Government of *Canada*.

LXXII. An Act for the further Amendment of the Laws relating to Turnpike Roads in *South Wales.*

LXXIII. An Act to authorize the Advance of Money out of the Consolidated Fund for Loans towards defraying the Expense of making certain Railways in *Ireland.*

LXXIV. An Act to provide for the Repayment of Sums due by the County of the City of *Limerick* for Advances of public Money for the Improvement of the Navigation of the River *Shannon.*

LXXV. An Act for the further Improvement of the Fishery Piers and Harbours of *Ireland.*

LXXVI. An Act to empower the Commissioners of Her Majesty's Woods to purchase Lands for the Purpose of a Harbour of Refuge at or near *Holyhead* in the County of *Anglesea.*

LXXVII. An Act to continue until the First Day of *October* One thousand eight hundred and forty-eight, and to the End of the then next Session of Parliament, the Exemption of Inhabitants of Parishes, Townships, and Villages from Liability to be rated as such in respect of Stock in Trade or other Property to the Relief of the Poor.

LXXVIII. An Act to amend an Act for the Registration, Incorporation, and Regulation of Joint Stock Companies.

LXXIX. An Act to continue for a limited Time the Provisions for summary Proceedings contained in an Act of the last Session to amend the Acts for promoting the Drainage of Lands, and for other Purposes; and to amend the said Act.

LXXX. An Act to amend an Act of the last Session, for facilitating the Employment of the labouring Poor in the distressed Districts in *Ireland*, so far as relates to Compensation for Damages.

LXXXI. An Act to limit the Time for taking the Poll at Elections of Members to serve in Parliament for Counties of Cities, Counties of Towns, and Boroughs in *Ireland.*

LXXXII. An Act for the more speedy Trial and Punishment of Juvenile Offenders.

LXXXIII. An Act for the Naturalization of Aliens.

LXXXIV. An Act to make Provision for the Punishment of Vagrants and Persons offending against the Laws in force for the Relief of the destitute Poor in *Ireland.*

LXXXV. An Act for giving further Facilities for the Transmission of Letters by Post, and for the regulating the Duties of Postage thereon, and for other Purposes relating to the Post Office.

LXXXVI. An Act to allow until the First Day of *March* One thousand eight hundred and forty-eight the Importation of Corn, Maize, Rice, Grain, Potatoes, Meal, Flour, Biscuit, and certain other similar Articles, from any Country, in any Ships.

LXXXVII. An Act to facilitate the Recovery of Public Monies advanced for the Relief of Distress in *Ireland* by the Employment of the labouring Poor.

LXXXVIII. An Act to defray until the First Day of *August* One thousand eight hundred and forty-eight the Charge of the Pay, Clothing, and contingent and other Expenses of the Disembodied Militia in *Great Britain* and *Ireland;* to grant Allowances in certain Cases to Subaltern Officers, Adjutants, Paymasters, Quartermasters, Surgeons, Assistant Surgeons, Surgeons' Mates, and Serjeant Majors of the Militia; and to authorize the Employment of the Non-commissioned Officers.

LXXXIX. An Act for consolidating in One Act certain Provisions usually contained in Acts for regulating the Police of Towns.

XC. An Act to provide for the Execution of the Laws for the Relief of the Poor in *Ireland.*

XCI. An Act to increase the Number of Trustees for the Herring Fishery, and to direct the Application of the Funds granted for the Promotion of Manufactures and Improvements, in *Scotland.*

XCII. An Act for the Protection of Mussel Fisheries in *Scotland.*

XCIII. An Act to continue until the First Day of *October* One thousand eight hundred and forty-eight, and to the End of the then next Session of Parliament, an Act for authorizing the Application of Highway Rates to Turnpike Roads.

XCIV. An Act to amend an Act to enable Canal Companies to become Carriers upon their Canals.

XCV. An Act to amend the Law relating to the Protection in the Colonies of Works entitled to Copyright in the United Kingdom.

XCVI. An Act for better securing Trust Funds, and for the Relief of Trustees.

XCVII. An Act for the Discontinuance of the Attendance of the Masters in Ordinary of the High Court of Chancery in the Public Office, and for transferring the Business of such Public Office to the Affidavit Office in Chancery.

XCVIII. An Act to amend the Law as to Ecclesiastical Jurisdiction in *England.*

XCIX. An Act to authorize a further Advance of Money for the Relief of destitute Persons in *Ireland.*

C. An Act to regulate the Superannuation Allowances of the Constabulary Force in *Ireland* and the *Dublin* Metropolitan Police.

CI. An Act to continue the Copyhold Commission until the First Day of *October* One thousand eight hundred and fifty, and to the End of the then next Session of Parliament.

CII. An Act to abolish the Court of Review in Bankruptcy, and to make Alterations in the Jurisdiction of the Courts of Bankruptcy and Court for Relief of Insolvent Debtors.

CIII. An Act to amend the Passengers Act, and to make further Provision for the Carriage of Passengers by Sea.

CIV. An Act to explain the Acts for the Commutation of Tithes in *England* and *Wales,* and to continue the Officers appointed under the said Acts until the First Day of *October* One thousand eight hundred and fifty, and to the End of the then next Session of Parliament.

CV. An Act to continue until the First Day of *October* One thousand eight hundred and forty-eight, and to the End of the then next Session of Parliament, certain Turnpike Acts.

CVI. An Act to provide additional Funds for Loans for Drainage and other Works of public Utility in *Ireland,* and to repeal an Act of the last Session, for authorizing a further Issue of Money in aid of Public Works of acknowledged Utility.

CVII. An Act to apply a Sum out of the Consolidated Fund, and certain other Sums, to the Service of the Year One thousand eight hundred and forty-seven; and to appropriate the Supplies granted in this Session of Parliament.

CVIII. An Act for establishing the Bishopric of *Manchester,* and amending certain Acts relating to the Ecclesiastical Commissioners for *England.*

CIX. An Act for the Administration of the Laws for Relief of the Poor in *England.*

CX. An Act to amend the Laws relating to the Removal of the Poor, until the First Day of *October* One thousand eight hundred and forty-eight.

CXI. An Act to extend the Provisions of the Act for the Inclosure and Improvement of Commons.

CXII. An Act to promote Colonisation in *New Zealand,* and to authorize a Loan to the *New Zealand* Company.

CXIII. An Act to facilitate the Drainage of Lands in *Scotland.*

CXIV. An Act for improving the Harbour and Docks of *Leith.*

CXV. An Act to vary the Priorities of the Charges made on "The *London Bridge* Approaches Fund."

LOCAL AND PERSONAL ACTS,

DECLARED PUBLIC

AND TO BE JUDICIALLY NOTICED.

i. AN Act to change the Name of the Protestant Dissenters and General Life and Fire Insurance Company to the General Life and Fire Assurance Company, and to extend to the Company, by its new Name, the Powers of the Act enabling the Company to sue and be sued in the Name of the Chairman, Deputy Chairman, or any One of the Directors, or of the Secretary of the Company.

ii. An Act for regulating Proceedings by or against "The *Llynvi* Iron Company," and for granting certain Powers thereto.

iii. An Act for the continued Repair and Maintenance of the Road from or near *Whiteburn* in the County of *Berwick* to the Town of *Kelso* in the County of *Roxburgh;* and to authorize the Transfer of a Portion of the said Road to the Trustees of the Road from *Lauder*, to and through *Kelso*, to the *Marchburn*.

iv. An Act for incorporating the District Fire Insurance Company of *Birmingham*, by the Name of "The District Fire Insurance Company;" for enabling the said Company to sue and be sued; and for other Purposes relating to the said Company.

v. An Act for lighting with Gas the Township of *Shipley*, the Village of *Windhill*, and the Neighbourhood thereof, in the West Riding of the County of *York*.

vi. An Act for extending and enlarging a certain Pier in *Pile* Harbour in the Parish of *Dalton-in-Furness* in the County Palatine of *Lancaster*, and to alter the Act relating thereto.

vii. An Act to alter, amend, and enlarge the Powers and Provisions of an Act passed in the Second Year of the Reign of His late Majesty King *George* the Fourth, intituled *An Act for lighting with Gas the Town and Borough of* Ipswich *in the County of* Suffolk.

viii. An Act for authorizing the *Cheltenham* Waterworks Company to raise a further Sum of Money.

ix. An Act for more effectually maintaining the Harbour of *Newhaven* and the Navigation of the River *Ouse* between *Newhaven* and *Lewes*, and for draining the Low Lands lying in *Lewes* and *Laughton* Levels, all in the County of *Sussex*.

x. An Act for making a Railway from *Smithstown* to *Dalmellington* in the County of *Ayr*.

xi. An Act to enable the *Colchester, Stour Valley, Sudbury and Halstead* Railway Company to make an Extension of their Railway from *Sudbury to Melford. Lavenham,* and *Clare,* in the County of *Suffolk*.

xii. An Act to enable the *Newmarket and Chesterford* Railway Company to extend their Line of Railway to *Bury Saint Edmunds*, with a Branch to the City of *Ely*.

xiii. An Act for repealing certain Provisions of the *Newmarket and Chesterford* Railway Act, 1846.

xiv. An Act to amend some of the Provisions of the *Manchester* Markets Act, 1846.

xv. An Act to enlarge the Powers of "The *Wolverhampton* Gaslight Company," and to authorize the Union of such Company with "The *Wolverhampton* New Gas Company."

xvi. An Act to enable the *Hartlepool* West Harbour and Dock Company to construct additional Docks; and for repealing an Act passed in the Seventh Year of the Reign of Her present Majesty, relating to the said *Hartlepool* West Harbour and Dock Company, and for granting new Powers and Provisions in lieu thereof.

xvii. An Act to enable the Mayor, Aldermen, and Burgesses of the Borough of *Bolton* in the County of *Lancaster* to improve such Borough, and to take a Lease of and to purchase the Works of the *Bolton* Waterworks Company.

xviii. An Act to enable the *Colchester, Stour Valley, Sudbury, and Holstead* Railway Company to make an Extension Railway from *Lavenham* to *Bury Saint Edmunds* in the County of *Suffolk*.

xix. An Act for authorizing the Sale of the *Eastern Union and Hadleigh Junction* Railway to the *Eastern Union* Railway Company.

xx. An Act to enable the *Newmarket and Chesterford* Railway Company to extend their Line of Railway to *Thetford* in the County of *Norfolk*.

xxi. An Act to enable the *Colchester, Stour Valley, Sudbury, and Halstead* Railway Company to grant a Lease of their Undertaking to the *Ipswich and Bury Saint Edmunds* Railway Company.

xxii. An Act to enable the *Caledonian* Railway Company to make an Extension of the *Motherwell* Branch of the *Clydesdale Junction* Railway to *Auchinheath* Mineral Field, with Branches therefrom.

xxiii. An Act to enable the *Caledonian* Railway Company to make Branch Railways to *Wilsontown*, to *Fauldhouse*, and to *Biggar* and *Broughton*.

xxiv. An Act to enable the *Caledonian* Railway Company to make Branches from the *Clydesdale Junction* Railway to the *Douglas* and *Lesmahagow* Mineral Fields, and to *Strathavon*.

xxv. An Act to abolish, reduce, equalize, and consolidate the Rates and Duties leviable at the Harbour and Docks of *Leith*.

xxvi. An Act for better supplying with Water the Inhabitants of the Town and Borough of *Rochdale*, and of several Townships and Places, all in the Parish of *Rochdale* in the County of *Lancaster*.

xxvii. An Act for granting further Powers to the *Bristol and Clifton* Oil Gas Company.

xxviii. An Act for better supplying with Gas and Water the Royal Burgh of *Inverness*, Suburbs, and Places adjacent.

xxix. An Act for amending the *Ryde* Improvement Act.

xxx. An Act for better assessing the Poor Rates, Highway Rates, County and Police Rates, and other Parochial and Local Rates, on small Tenements in the several Townships of *Wolverhampton*, *Bilston*, *Willenhall*, and *Wednesfield*, in the County of *Stafford*.

xxxi. An Act to enable the Shipowners Towing Company to sue and be sued.

xxxii. An Act to alter and amend an Act, intituled *An Act for providing in or near the Burgh of* Cupar *more extensive Accommodation for holding the Courts and Meetings of the Sheriff, Justices of the Peace, and Commissioners of Supply of the County of* Fife; *and for the Custody of the Records of the said County;* and to authorize the Commissioners acting under the Authority of that Act to provide a Court House at *Dunfermline* for the Accommodation of the Courts of the Sheriff and Justices of the Peace in the Western District of the said County.

xxxiii. An Act for better assessing and collecting the Poor, Church, and Highway Rates within the Parish of *Kingston-upon-Thames* in the County of *Surrey*.

xxxiv. An Act to enable the *Scottish Union* Insurance Company to purchase Annuities and invest Money on Securities in *England* and *Ireland;* and for other Purposes relating thereto.

xxxv. An Act for incorporating the *Scottish Equitable* Life Assurance Society, for confirming the Rules and Regulations thereof, for enabling the said Society to sue and be sued, to take and to hold Property; and for other Purposes relating thereto.

xxxvi. An Act for regulating legal Proceedings by or against "*Claridge's* Patent Asphalte Company," and for granting certain Powers thereto.

xxxvii. An Act to enable the Mayor and Commonalty and Citizens of the City of *London* to raise a Sum of Money for paying off the Monies now charged on the Bridge House Estates by Authority of Parliament, and to raise further Monies upon the Credit of the said Estates, and of their own Estates and Revenues, for effecting Public Works and Improvements in and near the said City.

xxxviii. An Act for enabling the Metropolitan Sewage Manure Company, to alter the Line of their Works; and for other Purposes.

xxxix. An Act to authorize the Purchase by the *Aberdeen* Railway Company of a Piece of Ground at the upper Part of the Inches and upper Part of the Harbour of *Aberdeen* now vested in the *Aberdeen* Harbour Commissioners, and to enable such Commissioners to make certain Alterations and new Works connected with such Harbour.

xl. An Act for better lighting with Gas the Town of *Runcorn* otherwise called *Higher Runcorn* and *Lower Runcorn*, and also certain Townships and Hamlets in the Vicinity.

xli. An Act for lighting with Gas the Town and Neighbourhood of *Bingley* in the West Riding of the County of *York*.

xlii. An Act for rendering more efficient the *Dublin* Consumers Gas Company.

xliii. An Act for extending the Powers of the Imperial Continental Gas Association.

xliv. An Act to amend and extend the Provisions of an Act passed in the Third Year of the Reign of King *George* the Fourth, intituled *An Act for incorporating the* Warrington *Gaslight Company*.

xlv. An Act for removing the Market between *King Street* and *Castle Street* in the Town of *Sheffield*, and for providing a new Market Place in lieu thereof, and for regulating and maintaining the Markets and Fairs of the said Town.

xlvi. An Act for better and more effectually ascertaining, assessing, collecting, and levying the Poor Rate and all other Rates and Assessments in the Parish of *Ewell* in the County of *Surrey;* and for the better Management of the Business and Affairs of the said Parish; and for other Purposes relating thereto.

xlvii. An Act for repealing the Acts relating to the Roads leading from the Lower Market House in *Tavistock* to *Old Town* Gate in the Borough of *Plymouth*, and from *Manadon* Gate to the *Old Pond* near *Devonport* in the County of *Devon*, and making other Provisions in lieu thereof.

xlviii. An Act to enlarge and improve the Meal, Corn, and Grain Markets of the City of *Edinburgh;* and for other Purposes in relation thereto.

xlix. An Act for establishing a Market and Market Place in the Town and Borough of *Wakefield*.

l. An Act to repeal the *Waterford* Road Act.

li. An Act for the better Maintenance, Improvement, and Repair of the *Glasgow and Shotts* Turnpike Roads.

lii. An Act for the Amendment of the Port and Harbour Acts of *Belfast*, for making further Improvements and new Works there, and for the Amendment of the *Belfast and Cavehill*

Railway, and *Belfast* Town Improvement Acts.

liii. An Act for incorporating the Commercial Gaslight and Coke Company.

liv. An Act for better supplying with Water the Town and Neighbourhood of *Over Darwen* in the County of *Lancaster*, and for affording a more regular and constant Supply of Water to the Mill Owners and others on the River *Darwen*.

lv. An Act to incorporate a Company by the Name of "The *London* Sewage Chemical Manure Company."

lvi. An Act for amending an Act passed in the Fourth Year of the Reign of His late Majesty King *William* the Fourth, intituled *An Act for granting certain Powers to the* British American *Land Company*, and for granting further Powers to the said Company.

lvii. An Act for making a Railway from *Staines* to join the *London and South-western* Railway near *Farnborough*, with a Branch to *Chertsey*.

lviii. An Act for making a Railway from *Richmond* to *Windsor*, with a Loop Line through *Brentford* and *Hounslow*.

lix. An Act to authorize an Extension of the *Cork, Blackrock, and Passage* Railway to *Monkstown*, and to amend the Act relating thereto.

lx. An Act to authorize certain Alterations of the Line of the *Wilts, Somerset, and Weymouth* Railway.

lxi. An Act to authorize certain Alterations of the Line of the *Waterford, Wexford, and Wicklow* Railway, and to amend the Act relating thereto.

lxii. An Act to enable the *Liskeard and Caradon* Railway Company to raise a further Sum of Money.

lxiii. An Act for making a Railway from the Town of *Killarney* in the County of *Kerry* to the Harbour of *Valencia* in the same County.

lxiv. An Act to empower the *Norfolk* Railway Company to make a Railway from the *Lowestoft* Railway near *Reedham* to join the *Norwich* Extension of the *Ipswich and Bury Saint Edmunds* Railway near *Diss*, with a Branch therefrom to *Halesworth*.

lxv. An Act to alter and amend several of the Powers and Provisions of the Act relating to the *Dundalk and Enniskillen* Railway.

lxvi. An Act for rating to the Relief of the Poor and other Parochial and Local Rates the Owners of certain Property within the Parishes of *King's Norton, Northfield*, and *Beoley* in the County of *Worcester*, *Edgbaston* in the County of *Warwick*, and *Harborne* in the County of *Stafford*, in lieu of the Occupiers thereof.

lxvii. An Act to repeal Two several Acts relating to the *Liverpool* Gaslight Company, and to substitute other Provisions in lieu thereof, and to enable the said Company to raise a further Sum of Money.

lxviii. An Act for reducing the Dues of the Harbour of the Borough and Town of *Weymouth* and *Melcombe Regis* in the County of *Dorset*, and consolidating the Trusts created by the Acts relating to such Harbour and the Bridge of the said Borough, and for other Purposes.

lxix. An Act to amend certain Acts for making and maintaining Roads and converting the Statute Labour in the Counties of *Ross* and *Cromarty*, and Part of *Nairn* locally situate in the County of *Ross*.

lxx. An Act to explain and amend the Laws of Sewers relating to the City and Liberty of *Westminster*, and Part of *Middlesex*.

lxxi. An Act for the more easy Recovery of Small Debts and Demands within the City of *London* and the Liberties thereof.

lxxii. An Act to authorize an Alteration in the Line of the *Cornwall* Railway, and to amend the Act relating thereto; and for other Purposes.

lxxiii. An Act to authorize the Right Honourable *Francis Egerton* Earl of *Ellesmere* to sell, and the *London and North-western* Railway Company to purchase, the Estate and Interest of the said Earl in the *Manchester South Junction and Altrincham* Railway.

lxxiv. An Act for enabling the *Vale of Neath* Railway Company to construct certain new Lines of Railway in connexion with the *Vale of Neath* Railway; and for other Purposes.

lxxv. An Act to enable the *General Terminus and Glasgow Harbour* Railway Company to make Branch Railways to the *Caledonian* and other adjoining Railways, and to amend the Act relating to such Railway.

lxxvi. An Act to authorize the *Gloucester and Dean Forest* Railway Company to construct a Dock or Basin at *Gloucester* in connexion with the said Railway.

lxxvii. An Act for the better supplying the Town of *Dunfermline* and Places adjacent thereto with Water.

lxxviii. An Act to enable the *Ambergate, Nottingham, and Boston and Eastern Junction* Railway Company to alter the Line of their Railway, and to construct a Branch Railway therefrom into the Town of *Nottingham*.

lxxix. An Act to enable the *Llynvi Valley* Railway Company to make an Extension of their Railway to *Newcastle* in the County of *Glamorgan*, and to amend the Act relating to their said Railway, to be called "The *Llynvi Valley* Railway Extension."

lxxx. An Act to enable the *Shrewsbury and Birmingham* Railway Company to make Branch Railways to *Madeley* and *Ironbridge;* and for other Purposes.

lxxxi. An Act to enable the *Bristol and South Wales Junction* Railway Company to improve and maintain the *Aust* or *Old Passage Ferry* across the River *Severn*.

lxxxii. An Act to enable the *Caledonian* Railway Company to make a Branch Railway from the *Glasgow, Garnkirk, and Coatbridge* Railway to *Glasgow*, and to enlarge the Station in that City.

lxxxiii. An Act to enable the *Caledonian and Dumbartonshire Junction* Railway Company to make certain Deviations and Branches.

lxxxiv. An Act to repeal an Act of the Second Year of His late Majesty King *William* the Fourth, intituled *An Act to enable the* British *Commercial Insurance Company to sue and be sued in the Name of One of the Directors or of the*

Secretary for the Time being of the Company, and to enable the said Company to sue and be sued in the Name of One of their Directors or of their Secretary for the Time being.

lxxxv. An Act to alter and amend the *Newry and Enniskillen* Railway Act, 1845.

lxxxvi. An Act for amending the *Newport, Abergavenny, and Hereford* Railway Act, 1846, and to authorize Deviations from the Line of the said Railway, and for making Branches and Extensions therefrom.

lxxxvii. An Act for making a Railway from *Herne Bay* to a Junction with the *Canterbury and Whitstable* Railway, to be called "The *Herne Bay and Canterbury Junction* Railway."

lxxxviii. An Act to enable the *London and South-western* Railway Company to widen and improve the *London and South-western* Railway from the Junction thereof with the *Richmond* Railway to the Terminus at *Nine Elms*, and to enable them to enlarge their intended Station at the *York Road, Lambeth.*

lxxxix. An Act to enable the *Dundee and Perth* Railway Company to alter and extend their Line near to *Perth*, and to make Branches therefrom to *Inchture*, *Polgavie*, and *Inchmichael*.

xc. An Act to enable the *Glasgow, Barrhead, and Neilston Direct* Railway Company to alter a Portion of their Line; and for other Purposes relating thereto.

xci. An Act for making Branch Railways from the *Great Western* Railway and from *Hammersmith* to join the *West London* Railway, for widening a Portion of the *West London* Railway, and for extending the same so as to join the *London and South-western* Railway in the Parish of *Saint Mary Lambeth* in the County of *Surrey*.

xcii. An Act to authorize the Purchase by the *Eastern Counties* Railway Company of the *Maldon, Witham, and Braintree* Railway.

xciii. An Act to enable the *Great Southern and Western* Railway Company to make a Railway from *Portarlington* to *Tullamore*.

xciv. An Act to empower the *Norfolk* Railway Company to make a Railway from *Wymondham* to *Diss*.

xcv. An Act to authorize the Purchase of the *Glasgow Southern Terminal* Railway by the *Glasgow, Barrhead, and Neilston Direct* Railway Company, and to amend the Acts relating to the said Company.

xcvi. An Act for making an Alteration in the Line of the *Southampton and Dorchester* Railway, and Branches therefrom to *Lymington* and *Eling;* and for other Purposes.

xcvii. An Act for making a Branch Railway from the *Southampton and Dorchester* Railway at *Moreton* to *Weymouth*, and for other Purposes.

xcviii. An Act to authorize an Alteration in the Line of the *Lowestoft* Railway, and to amend the Act relating to the *Lowestoft* Railway and Harbour Company.

xcix. An Act to enable the *Norfolk* Railway Company to extend their Railway to the Town of *Great Yarmouth;* and for other Purposes.

c. An Act to enable the *Dublin and Drogheda* Railway Company to make a Railway from the *Navan* Branch of the *Dublin and Belfast Junction* Railway in the County of *Meath* to the Town of *Kells* in the same County.

ci. An Act for making a Railway from *Abercrave* Farm in the Parish of *Ystradgunlais* in the County of *Brecon* to *Swansea* in the County of *Glamorgan*, with Branches, to be called "The *Swansea Valley* Railway."

cii. An Act to authorize a Deviation in the Line of the *Manchester and Lincoln Union* Railway.

ciii. An Act to enable the *Manchester and Leeds* Railway Company to make an Extension of the *Holmfirth* Branch of the *Huddersfield and Sheffield Junction* Railway.

civ. An Act to enable the *South-eastern* Railway Company to make a Railway to connect the *London and Greenwich* Railway and the *North Kent* Line of the *South-eastern* Railway with the *Bricklayers Arms* Branch Railway.

cv. An Act for making a Railway from the *Liverpool and Bury* Railway near *Liverpool*, through *Crosby*, to the Town of *Southport*, to be called "The *Liverpool, Crosby, and Southport* Railway."

cvi. An Act for widening, altering, and improving the *Dundee and Newtyle* Railway.

cvii. An Act to empower the *London and North-western* Railway Company to make a Railway from the *London and North-western* Railway near *Bletchley* to *Newport Pagnel*, *Olney*, and *Wellingborough*.

cviii. An Act to consolidate and amend the Acts relating to the *North Staffordshire* Railway Company, and to authorize certain Alterations of and the Formation of certain Branches and additional Works in connexion with their Undertaking.

cix. An Act for making certain new Lines of Railway in connexion with the *South Wales* Railway, and certain Alterations in the Line of the said Railway; and for other Purposes.

cx. An Act to authorize the Construction of a Railway from *Cannock* in the County of *Stafford* to *Uttoxeter* in the same County, to join the *North Staffordshire* Railway Potteries Line, by a Company to be called "The *Derbyshire, Staffordshire, and Worcestershire Junction* Railway Company."

cxi. An Act to authorize the Sale to the *Dublin and Drogheda* Railway Company of the *Navan* Branch of the *Dublin and Belfast Junction* Railway, and to enable the *Dublin and Drogheda*, the *Dublin and Belfast Junction* Railway Company with a Branch from *Drogheda* to *Navan*, the *Ulster*, and the *Dundalk and Enniskillen* Railway Companies, or any of them, to amalgamate with one another.

cxii. An Act to empower the *Boston, Stamford, and Birmingham* Railway Company to make a Railway from the *Syston and Peterborough* Railway at or near *Peterborough* to the *Stamford and Wisbech* Line of the *Boston, Stamford, and Birmingham* Railway in the Parish of *Thorney* and *Isle* of *Ely*.

cxiii. An Act to authorize the *East Linolnshire* Railway Company to purchase an existing Lease of the *Louth* Navigation.

cxiv. An Act to empower the *London and North-*

western Railway Company to admit certain Parties as Shareholders in their Undertaking for making a Railway from *Coventry* to *Nuneaton* in the County of *Warwick;* and for other Purposes.

cxv. An Act to enable the *London and South-western* Railway Company to make Railways from *Andover* to join their *Salisbury* Branch Railway at *Michaelmarsh*, and from the same Branch at *Romsey* to join the *Southampton and Dorchester* Railway at *Redbridge*, all in the County of *Southampton*, to be called "The *Andover and Southampton Junction* Railway."

cxvi. An Act for enabling the *Manchester*, *Sheffield, and Lincolnshire* Railway Company to make a Railway at *Bugsworth*, and for amending the Acts relating thereto.

cxvii. An Act for the Enlargement of the *Wearmouth* Dock, and the Construction of new Works in connexion therewith; and for other Purposes relating thereto.

cxviii. An Act to empower the *London and North-western* Railway Company to make a Branch Railway from the *London and North-western* Railway near *Atherstone* to the *Midland* Railway at *Whitacre* in the County of *Warwick*.

cxix. An Act to enable the *Glasgow, Kilmarnock, and Ardrossan* Railway Company to make certain Branch Railways, and to make certain Deviations from the Line and Levels of the said Railway; and to amend the Act relating to the said Railway.

cxx. An Act to authorize a certain Alteration in the Line of the *Birmingham, Wolverhampton, and Stour Valley* Railway, and to amend the Act relating thereto; and for other Purposes.

cxxi. An Act to authorize a Lease of the Undertaking of the *Shropshire Union* Railways and Canal Company to the *London and North-western* Railway Company.

cxxii. An Act to enable the *Midland* Railway Company to alter the Line of the *Leicester and Swannington* Railway, and to make certain Branches therefrom; and for other Purposes.

cxxiii. An Act for constructing and maintaining Docks and other Works at or near the South Side of the Town of *Swansea* in the Town and Franchise of *Swansea* in the County of *Glamorgan*.

cxxiv. An Act for lighting with Gas the Town of *Croydon* and its Vicinity in the County of *Surrey*.

cxxv. An Act to amend the *East Linolnshire* Railway Act, 1846, and to authorize the Construction of a Branch Railway to join the *Great Grimsby and Sheffield Junction* Railway near *Grimsby*.

cxxvi. An Act to construct Waterworks for supplying with Water the Town of *Falmouth* and certain Parishes adjacent thereto in the County of *Cornwall*.

cxxvii. An Act for improving and maintaining the Harbour of *Macduff* in the County of *Banff*.

cxxviii. An Act to repeal the Acts relating to *Warkworth* Harbour in the County of *Northumberland*, and to make other Provisions in lieu thereof.

cxxix. An Act for extending and enlarging the Provisions of the Act for regulating Buildings and Party Walls within the City and County of *Bristol*, and for forming certain Streets, and for widening other Streets within the same.

cxxx. An Act to enable the *Midland Great Western* Railway of *Ireland* Company to make certain Deviations in the authorized Line of the said Railway; and to amend the Acts relating thereto.

cxxxi. An Act to amend and enlarge the Powers and Provisions of the *Westminster* Improvement Act, 1845, and to authorize the Application of certain Rates in aid of the Improvements.

cxxxii. An Act to empower the *London and North-western* Railway Company to make a Railway from the *London and North-western* Railway near *Watford* to *St. Albans*, *Luton*, and *Dunstable*.

cxxxiii. An Act to authorize the Consolidation into One Undertaking of the *York and Newcastle* and the *Newcastle and Berwick* Railways.

cxxxiv. An Act for enabling the *York and Newcastle* Railway Company to make certain Branch Railways in the Counties of *Durham* and *York;* and for other Purposes.

cxxxv. An Act to enable the *Midland* Railway Company to make a Railway from near *Leicester*, via *Bedford*, to *Hitchin* and to *Northampton* and *Huntingdon*, with Branches; to enlarge the *Leicester* Station of the *Midland* Railway; and for other Purposes.

cxxxvi. An Act to empower the *North British* Railway Company to extend the *Haddington* Branch of the *North British* Railway, to make certain Alterations in the *Hawick* and *Kelso* Branches of the same Railway; and for other Purposes.

cxxxvii. An Act to amend the Acts relating to the *Ipswich and Bury Saint Edmunds* Railway Company, and to enable the Company to construct a Railway from the *Ipswich and Bury Saint Edmunds* Railway near *Ipswich* to *Woodbridge*.

cxxxviii. An Act to enable the *Manchester*, *Sheffield, and Lincolnshire* Railway Company to make a Branch Railway from the *Market Rasen and Lincoln* Line of their Railway in the Parish of *Stainton-by-Langworth* to the Town of *Wragby* in the County of *Lincoln*.

cxxxix. An Act for enabling the *London and North Western* Railway Company to make a Railway from *Birmingham* to *Lichfield*, and for amending the former Acts relating to the said Company.

cxl. An Act for enabling the *York and North Midland* Railway Company to extend the Line of their *Harrogate* Branch Railway, and make a Station at *Harrogate*.

cxli. An Act for enabling the *York and North Midland* Railway Company to make a Railway from their Line at *Burton Salmon* to *Knottingley*, with a Branch thereform; and for other Purposes.

cxlii. An Act to enable the *Aberdeen* Railway Company in part to alter their Branch Railway to *Brechin*.

cxliii. An Act to enable the *Great Northern* Railway Company to alter the Line of their Railway near *Doncaster*.

cxliv. An Act to authorize the *Shrewsbury and Chester* Railway Company to make certain Branches, and to provide Station Room and other Conveniences in the City of *Chester*, and to raise additional Capital for these Purposes; and for amending the former Acts relating to the said Company.

cxlv. An Act for enabling the *London and South Western* Railway Company to make Extensions of the *Guildford Extension and Portsmouth and Fareham* Railway near *Portsmouth*, and a Deviation in the authorized Line thereof near *Godalming*.

cxlvi. An Act to enable the *Great Northern* Railway Company to make certain Alterations in the Line of their Railway as already authorized between *Grantham* and *York*.

cxlvii. An Act to authorize an Extension of and the Construction of a Station in connexion with the *Chester and Holyhead* Railway at *Chester*; and for other Purposes.

cxlviii. An Act to enable the *Great Northern* Railway Company to take a Lease of or to purchase the *East Lincolnshire* Railway, and the *Boston, Stamford, and Birmingham* Railway.

cxlix. An Act for enabling the *Birmingham, Wolverhampton, and Dudley* Railway Company to purchase Lands for additional Station Room at *Birmingham*, and for authorizing the Sale of the Undertaking of the said Company to the *Great Western* Railway Company.

cl. An Act to enable the *Midland* Railway Company to enlarge their Stations at *Masbrough* and *Normanton* respectively, and to construct additional Sidings or Branch Railways.

cli. An Act to enable the *Edinburgh, Leith, and Granton* Railway Company to make a Branch Railway to the *Upper Drawbridge* in the Town of *Leith*.

clii. An Act to enable the *Edinburgh, Leith, and Granton* Railway Company to make a Branch Railway from *Bonnington* to *Trinity Villa*; to acquire certain Pieces of Land; and to shut up and use certain Roads or Streets for the Purposes of the said Railway.

cliii. An Act for making a Railway from *Portadown* in the County of *Armagh* to *Dungannon* in the County of *Tyrone*, to be called "The *Portadown and Dungannon* Railway."

cliv. An Act for making a Railway from the *Great Western* Railway at *Cheltenham* to join the *Oxford and Rugby* Railway near *Oxford*, with a Branch therefrom; and for other Purposes.

clv. An Act to empower the *Boston, Stamford, and Birmingham* Railway Company to make a Railway from *Wisbech* to *Sutton Bridge*, with a Branch to *Sutton Saint Mary*, and to improve the Harbour at *Sutton Bridge*.

clvi. An Act to authorize the Purchase by the *Eastern Counties* Railway Company of the *North Woolwich* Railway, and the Lease of the Pepper Warehouses and Wharfs of the *East* and *West India* Dock Company.

clvii. An Act to enable the *Eastern Counties* Railway Company to enlarge their *London* and *Stratford* Stations; and to amend some of the Provisions of the Acts relating to the *Eastern Counties* Railway Company.

clviii. An Act to enable the *Eastern Counties* Railway Company to make a Railway from the *Eastern Counties* Railway near *Cambridge* to the *Bedford and Bletchley* Railway at or near *Bedford*, with Branches.

clix. An Act to incorporate the *Huddersfield and Manchester* Railway and Canal Company and the *Leeds, Dewsbury, and Manchester* Railway Company with the *London and North-western* Railway Company.

clx. An Act to enlarge the Powers of the *Dublin, Dundrum, and Rathfarnham* Railway Act, 1846, and to enable the Company to make an Extension to *Stephen's Green*.

clxi. An Act for enabling the *Huddersfield and Manchester* Railway and Canal Company to alter a Portion of the Line of their *Oldham* Branch; and for other Purposes.

clxii. An Act for making a Railway from *Mold* in the County of *Flint* to join the *Chester and Holyhead* Railway in the Parish of *Hawarden* in the same County, with Branches, to be called "The *Mold* Railway."

clxiii. An Act to enable the *Manchester and Leeds* Railway Company to make certain Branches, Extensions, and other Works, and to alter the Name of the Company.

clxiv. An Act for enabling the *Blackburn, Darwen, and Bolton* Railway Company to make certain Alterations in the Line of their Railway in the Parishes of *Blackburn* and *Bolton-in-the-Moors*; and for amending the Acts relating thereto.

clxv. An Act for enabling the *Manchester, Sheffield, and Lincolnshire* Railway Company to make a Coal Branch from their *Thurgoland* Station to the Township of *Stainborough*.

clxvi. An Act to enable the *Manchester and Leeds* Railway Company to alter the Line and Levels of the *Brighouse* Branch of the *West Riding Union* Railways, and to make a new Line into *Leeds*.

clxvii. An Act to enable the *Direct London and Portsmouth* Railway Company to make an Approach to the Town of *Dorking*, and a Deviation in the Line and certain Alterations in the Levels of their Railway and in the *Croydon and Epsom* Railway.

clxviii. An Act to enable the *Glasgow, Paisley, and Greenock* Railway Company to make a certain Branch Railway to the *Caledonian* Railway at *Glasgow*, and to divert Part of the *Glasgow, Paisley, and Ardrossan* Canal.

clxix. An Act to amalgamate the *Glasgow, Paisley, and Greenock* Railway with the *Caledonian* Railway, and to authorize the raising of additional Money by the said last-mentioned Company.

clxx. An Act for making a Deviation in the Line of the *Lynn and Ely* Railway, and for forming Docks within the Borough of *King's Lynn*.

clxxi. An Act to enable the *Lynn and Ely* Railway Company to make a Navigation from *Lynn* to *Wormegay*, all in the County of *Norfolk*.

clxxii. An Act to enable the *Caledonian* Railway Company to make certain Branch Railways in the Counties of *Dumfries* and *Cumberland*.

clxxiii. An Act for making a Railway from the *North British* Railway at *East Linton* to *Ormiston*, to be called "The *East Lothian Central* Railway."

clxxiv. An Act to amalgamate the *Eastern Union* and *Ipswich and Bury Saint Edmunds* Railway Companies.

clxxv. An Act to enable the *Chard* Canal and Railway Company to extend their Railway from *Ilminster* to *Chard*, all in the County of *Somerset*.

clxxvi. An Act to enable the *Midland Great Western* Railway of *Ireland* Company to make a Railway from *Athlone* to *Galway*.

clxxvii. An Act to enable the *Newport, Abergavenny, and Hereford* Railway Company to extend their Railway from the Neighbourhood of *Pontipool* to the *Taff Vale* Railway.

clxxviii. An Act for making a Railway from the *Northampton and Peterborough* Branch of the *London and North-western* Railway to the Town of *Banbury*, to be called "The *Northampton and Banbury* Railway;" and for other Purposes.

clxxix. An Act for making a Railway from the *Swansea Vale* Railway at *Ynisymond* in the Parish of *Cadoxton* to *Nantmelyn* in the Parish of *Llangefelach*, both in the County of *Glamorgan*, with Branches.

clxxx. An Act to authorize the Purchase by the *Dublin and Drogheda* Railway Company of the *Navan* Branch of the *Dublin and Belfast Junction* Railway, and to authorize the *Dublin and Drogheda*, the *Dublin and Belfast Junction* Railway, with a Branch from *Drogheda* to *Navan*, the *Ulster*, and the *Dundalk and Enniskillen* Railway Companies, or any of them, to amalgamate with one another.

clxxxi. An Act to amend some of the Provisions of the *Glasgow, Dumfries, and Carlisle* Railway Act, 1846.

clxxxii. An Act to amend the Act relating to the *Glasgow, Dumfries, and Carlisle* Railway Company, and to authorize the Company to make a Branch Railway to *Kirkcudbright*, with diverging Lines therefrom; and for other Purposes.

clxxxiii. An Act to amend the Acts and alter the Terms of Amalgamation of the *Glasgow, Dumfries, and Carlisle* Railway Company, and of the *Glasgow, Paisley, Kilmarnock, and Ayr* Railway Company.

clxxxiv. An Act to enable the *Glasgow, Paisley, Kilmarnock, and Ayr* Railway Company to make certain Branch Railways in the County of *Ayr*, and to alter the Line of the *Glasgow and Belfast Union* Railway; and for other Purposes.

clxxxv. An Act to authorize the Construction of certain Branch Railways in the County of *Ayr* in connection with the *Glasgow, Paisley, Kilmarnock and Ayr* Railway; and for other Purposes.

clxxxvi. An Act to amend the Acts relating to the *Glasgow, Paisley, Kilmarnock, and Ayr* Railway, and to provide additional Station Accommodation; and for other Purposes.

clxxxvii. An Act for making a Railway from *Parkgate* in the Parish of *Great Neston* in the County of *Chester* to join the *Chester and Birkenhead* Railway in the Parish of *Bebbington* in the same County.

clxxxviii. An Act for enabling the *London and North-western* Railway Company to make a Branch Line of Railway from *Portobello* to *Wolverhampton*; and for other Purposes.

clxxxix. An Act to empower the *South Staffordshire* Railway Company to make divers Branch Railways; and for other Purposes.

cxc. An Act to incorporate the *Manchester and Lincoln Union* Railway and *Chesterfield and Gainsborough* Canal Company with the *Manchester, Sheffield, and Lincolnshire* Railway Company.

cxci. An Act to enable the *Midland* Railway Company to purchase the *Mansfield and Pinxton* Railway, and to alter the same, and to make a Railway from the *Erewash Valley* Railway to the *Nottingham and Mansfield* Railway, with Branches to *Mansfield*, and also to the *Alfreton* Ironworks.

cxcii. An Act to vest in the *Edinburgh and Northern* Railway Company the Undertaking of the Low water Pier at *Burntisland*, and of the Ferry between the same and *Granton*, and to enable the said Company to extend and improve the said Pier.

cxciii. An Act to empower the *Boston, Stamford, and Birmingham* Railway Company to make a Branch Railway from the *Stamford and Wisbech* Line of the *Boston, Stamford, and Birmingham* Railway at *Wisbech* to *Wisbech* Harbour, and to construct certain Works at *Wisbech* Harbour.

cxciv. An Act to authorize an Alteration in the Line of the *Cork and Bandon* Railway, and an Extension thereof into the City of *Cork*, and to amend the Act relating to the said Railway.

cxcv. An Act to consolidate the *Aberdeen* and *Great North of Scotland* Railway Companies.

cxcvi. An Act for improving, regulating, and maintaining the Haven of *Sandwich* in the County of *Kent*.

cxcvii. An Act to enable the Mayor, Aldermen, and Burgesses of the Borough of *Wisbech*, as Guardians of the Port and Harbour of *Wisbech*, to raise a sum of Money; and for other Purposes.

cxcviii. An Act for amending Two Acts of Parliament, passed respectively in the Fourth Year of the Reign of His late Majesty King *George* the Fourth, and the Fourth and Fifth Years of the Reign of His late Majesty King *William* the Fourth, for erecting a Bridge across the River *Shannon*, and a Floating Dock and other Works for the Improvement of the Port of *Limerick*.

cxcix. An Act for better supplying with Gas the Parish and Neighbourhood of *Wakefield* in the West Riding of the County of *York*.

cc. An Act for making perpetual the Provisions of an Act passed in the last Session of Parliament, intituled *An Act for the Regulation of the Legal Quays within the Port of* London.

cci. An Act for better supplying with Gas the Town of *Ashton-under-Lyne* in the County Palatine of *Lancaster*, and the Neighbourhood thereof.

ccii. An Act for better supplying with Water the City of *Edinburgh* and Places adjacent.

cciii. An Act to enable the Mayor, Aldermen, and Burgesses of the Borough of *Manchester* in the County of *Lancaster* to construct Waterworks for supplying the said Borough and several Places on the Line of the said intended Works with Water; and for other Purposes.

cciv. An Act for supplying with Water certain Parts of the *Staffordshire Potteries* and the Town of *Newcastle-under-Lyme*, and several Places adjoining or near thereto.

ccv. An Act for building a Bridge across the River *Ouse* in the City of *York*, with Approaches thereto, and for widening, altering, and improving certain Streets or Thoroughfares within the said City; and for other Purposes.

ccvi. An Act for the more effectually assessing, collecting, and levying the Poor and other Rates in the City and County of the City of *Norwich*, and Liberties of the same.

ccvii. An Act for amending the Acts relating to the Police and Improvement of the Burgh of *Kilmarnock;* and for other Purposes in relation thereto.

ccviii. An Act for extending the Municipal Boundaries of the Burgh of *Inverness;* establishing a general System of Police therein, and regulating the Petty Customs; and for other Purposes relating to the said Burgh.

ccix. An Act for deepening, enlarging, improving, and maintaining the Port and Harbour of *Inverness*, and the Navigation of the River *Ness*, and the Quays and Piers and other Works connected therewith; for regulating the Anchorage and Shore Dues of the said Port and Harbour; and for other Purposes relating thereto.

ccx. An Act for enabling the *Leeds and Thirsk* Railway Company to deviate the Main Line of their Railway in *Crimple Valley*, to alter the proposed Junction with the *York and Newcastle* Railway, and to divert the *Leeds, Wortley, and Stanningley* Turnpike Road.

ccxi. An Act to confirm an agreement between the Treasurer and Masters of the Bench of the Honourable Society of *Lincoln's Inn* in the County of *Middlesex* and the joint Vestry of the joint Parishes of *Staint Giles-in-the-Fields* and *Saint George Bloomsbury* in the same County and the Rector and Vestry of the separate Parish of *Saint Giles-in-the-Fields*.

ccxii. An Act for incorporating the Landowners' Drainage and Inclosure Company, and for enabling the Owners of settled Estates, drained, irrigated, inclosed, and improved by the said Company, to charge the same for the Purposes of such Drainage, Inclosure, and Improvement.

ccxiii. An Act for repairing and keeping in repair the Turnpike Roads in the County of *Ayr:* for making and maintaining new Roads, and altering and improving existing Roads; for rendering Turnpike certain Parish Roads; and for regulating the Statute Labour and Bridge Money in the said County,

ccxiv. An Act to empower the *Midland* Railway Company to extend the Line of their *Nottingham and Lincoln* Railway at *Lincoln*, and to make a Branch Railway to their *Lincoln* Station.

ccxv. An Act to authorize certain Deviations in the Line of the *Syston and Peterborough* Branch of the *Midland* Railway, and the Formation of a Road or Approach to the intended *Manton* Station thereof.

ccxvi. An Act to authorize the Purchase by the *York and North Midland* Railway Company of the Interests of the Shareholders in the *Market Weighton* Canal, and the Purchase of the Canal communicating therewith called Sir *Edward Vavasour's* Canal, of the *Pocklington* Canal, and of the *Leven* Canal, all in the East Riding of the County of *York*.

ccxvii. An Act to facilitate the effectual Drainage of certain Districts within the Commission of Sewers for the Limits extending from *East Moulsey* in *Surrey* to *Ravensbourne* in *Kent*.

ccxviii. An Act for enabling the *York and North Midland* Railway Company to make a Station at *Hull*, and certain Branch Railways connected with their Railways and the said Station; and for other Purposes.

ccxix. An Act for enabling the *York and North Midland* Railway Company to make a Railway from their *Church Fenton and Harrogate* Branch to *Knaresborough* and *Boroughbridge*.

ccxx. An Act to enable the *Edinburgh and Northern* Railway Company to make a Deviation and Extension of their Branch Railway to *Dunfermline*, to make another Railway from their *Strathearn* Deviation Railway to the *Scottish Central* Railway, and to make an Alteration in the Manner of constructing the said Branch and *Strathearn* Deviation across certain Roads.

ccxxi. An Act for making a Railway from *Southport* through *Wigan* to *Pendleton* near *Manchester*, with several Branches, to be called "The *Manchester and Southport* Railway."

ccxxii. An Act to incorporate the *Chester and Birkenhead* Railway with the *Birkenhead, Lancashire, and Cheshire Junction* Railway.

ccxxiii. An Act for enabling the *Birkenhead, Lancashire, and Cheshire Junction* Railway Company to make a Deviation in the *Chester* Branch of their Railway; and for other Purposes.

ccxxiv. An Act to enable the *East of Fife* Railway Company to make a Deviation in their Main Line, and to improve the Junction with the *Edinburgh and Northern* Railway near *Markinch*.

ccxxv. An Act to empower the *Eastern Union* Railway Company to make a Railway from the *Eastern Union* Railway at *Manningtree* to *Harwich*, with Branches thereout; and for other Purposes.

ccxxvi. An Act for making Branch Railways from the *Great Western* Railway to *Henby* and to *Radstock;* to widen certain Portions of the *Great Western* Railway; to enable the *Great Western* Railway Company to purchase or amalgamate with the *Birmingham, Wolverhampton, and Dudley* Railway, and to purchase the *Wycombe* and *Great Western and Uxbridge* Railways; and for other Purposes.

ccxxvii. An Act to authorize certain Alterations in the Line of the *Liverpool, Manchester, and*

Newcastle-upon-Tyne Junction Railway; and for other Purposes.

ccxxviii. An Act to empower the *London and North-western* Railway Company to enlarge their Sations at *Liverpool* and *Crewe;* and for other Purposes.

ccxxix. An Act to authorize the Sale of the *Paisley and Renfrew* Railway to the *Glasgow, Paisley, Kilmarnock, and Ayr* Railway Company, and the Improvement of the said Railway by that Company.

ccxxx. An Act to enable the *South-eastern* Railway Company further to widen the *London and Greenwich* Railway, and to enlarge their *London Bridge* Station.

ccxxxi. An Act to authorize certain Alterations in the Line of the *Waterford and Limerick* Railway; and to amend the Act relating thereto; and for other Purposes.

ccxxxii. An Act for making certain Lines of Railway in the County of *Lancaster*, to be called "The *Oldham Alliance* Railway."

ccxxxiii. An Act for making a Railway and Branch Railways in the County of *Chester*, to be called "The *Manchester and Birmingham and North Staffordshire Junction* Railway."

ccxxxiv. An Act to enable the *Glasgow, Paisley, Kilmarnock and Ayr* Railway Company to make certain Branch Railways in the County of *Renfrew;* and for other Purposes.

ccxxxv. An Act to enable the *Eastern Counties* Railway Company to make a Railway from *Wisbech* to *Spalding.*

ccxxxvi. An Act to authorize the Consolidation into One Undertaking of the *Oxford and Bletchley Junction* Railway Company and the *Buckingham and Brackley Junction* Railway Company, and to enable the Company so to be consolidated to make Extension Lines to *Banbury* and *Aylesbury,* and an Alteration of the Line into the City of *Oxford.*

ccxxxvii. An Act to enable the *Caledonian* Railway Company to extend their Station in *Edinburgh*, and to make Branch Railways to *Granton* and to the *Edinburgh and Glasgow* Railway.

ccxxxviii. An Act to enable the *Chester and Holyhead* Railway Company to extend their Line of Railway to the proposed new Harbour at *Holyhead,* and to contribute towards the Expense of constructing the said Harbour.

ccxxxix. An Act to incorporate the *Edinburgh, Leith, and Granton* Railway Company with the *Edinburgh and Northern* Railway Company.

ccxl. An Act to enable the *Liverpool, Manchester, and Newcastle-upon-Tyne Junction* Railway Company to make a Railway from the *Burnley* Branch of the *Manchester and Leeds* Railway in the Township of *Habergham Eaves* in the Parish of *Whalley* in the County of *Lancaster* to the *East Lancashire* Railway in the same Township; and for other Purposes.

ccxli. An Act to authorize a certain Alteration in the Line of the *Reading, Guildford, and Reigate* Railway, and to amend the Act relating thereto.

ccxlii. An Act to enable the *South Devon* Railway Company to extend the Line of the *South Devon* Railway to *Torquay* and to *Brixham;* and for other Purposes.

ccxliii. An Act to amend the *Exeter and Exmouth* Railway Act, 1846, and to enable the *London and South-western* Railway Company to subscribe towards, lease, or purchase the said Railway.

ccxliv. An Act for authorizing the Sale of Part of the *Brighton and Chichester* (*Portsmouth* Extension) Railway to the *London and South-western* and the *London, Brighton, and South Coast* Railway Companies, and the Use by the last-mentioned Company of Part (*Wandsworth* to *London*) of the *London and South-western* Railway.

ccxlv. An Act for making a Branch Railway from the *Glasgow, Airdrie, and Monklands Junction* Railway at or near *Whitevale Street, Glasgow,* to the *Edinburgh and Glasgow* Railway at or near *Cowlairs;* and to amend the Acts relating to such Railways.

ccxlvi. An Act to enable the *Edinburgh and Bathgate* Railway Company to deviate a Portion of their Main Line; and for other Purposes.

ccxlvii. An Act to make certain Deviations in the authorized Line of the "*Manchester, Buxton, Matlock, and Midlands Junction* Railway," and to amend the Act relating thereto.

ccxlviii. An Act to enable the *Royston and Hitchin* Railway Company to lease or sell their Line, and to authorize the said Company to enter into Contracts and complete Arrangements with the *Great Northern* Railway Company.

ccxlix. An Act to amend the Acts relating to the *London and South-western* Railway.

ccl. An Act to repeal an Act passed in the Fifty-fifth Year of His late Majesty King *George* the Third, for building a new Church and also a Workhouse in the Parish of *Bathwick* in the County of *Somerset,* and another Act passed in the Fifty-seventh Year of His said late Majesty to amend the said Act, and to provide for the future Administration and Exercise of the Trusts and Powers thereby respectively created.

ccli. An Act for paving, lighting, watching, draining, cleansing, regulating, and otherwise improving the Town of *Lytham* in the County Palatine of *Lancaster,* for supplying the Inhabitants thereof with Water, and for establishing and regulating a Market and Market Places therein.

cclii. An Act for paving, lighting, watching, cleansing, and otherwise improving the Town and Neighbourhood of *Tunstall* in the County of *Stafford,* and for improving and regulating the Market Place and Markets therein.

ccliii. An Act for better paving, cleansing, draining, regulating, lighting, and improving the District of *Rathmines, Mount Pleasant, Ranelagh, Cullenswood, Milltown, Rathgar,* and *Haroldscross,* and such other Portions of the Parish of *Saint Peter* within the Barony of *Uppercross* in the County of *Dublin,* and for otherwise promoting the Health and Convenience of the Inhabitants.

ccliv. An Act for the further Improvement of the Borough of *Belfast.*

cclv. An Act for improving the Streets and public Places, and erecting a Town Hall, and improving the Markets, in the Township of *Blackburn* in the County Palatine of *Lancaster*.

cclvi. An Act for paving, lighting, watching, draining, cleansing, and improving the Town of *Saint Ives* and the Neighbourhood thereof in the County of *Huntingdon*.

cclvii. An Act for paving, lighting, cleansing, watering, regulating, and otherwise improving the Town of *Portsmouth* in the County of *Southampton*, and for removing and preventing Nuisances and Annoyances therein.

cclviii. An Act for lighting, paving, cleansing, sewering, draining, regulating, and improving the Town and Neighbourhood of *Bingley* in the West Riding of the County of *York*, and for other Purposes connected therewith.

cclix. An Act for constructing and maintaining a Bridge across the River *Slaney* near the Town of *Wexford*, with Approaches, and for taking down the present Bridge there.

cclx. An Act to amend the several Acts relating to *Swansea* Harbour.

cclxi. An Act for better supplying with Water the Borough of *Liverpool* and the Neighbourhood thereof, and for authorizing the Mayor, Aldermen and Burgesses of the said Borough to purchase the *Liverpool and Harrington* Waterworks and *Liverpool* Waterworks.

cclxii. An Act for better supplying with Water the Inhabitants of the Town and Neighbourhood of *Leeds* in the County of *York*.

cclxiii. An Act for making Docks at *Jarrow Slake* in the River *Tyne*.

cclxiv. An Act to authorize the *Birkenhead* Dock Commissioners to construct an additional Dock and other Works at *Birkenhead* in the County of *Chester*, and for other Purposes.

cclxv. An Act to alter and amend the Acts relating to the *Birkenhead* Commissioners Docks, and to make further Provision with respect to the Construction of the Sea or Wharf Walls along *Wallasey Pool;* and for other Purposes.

cclxvi. An Act for authorizing the Sale of the *Leominster* Canal, and other Property of the Company of Proprietors of the *Leominster* Canal Navigation, and for winding up and adjusting the Concerns of the same Company.

cclxvii. An Act for the better Drainage of Lands called *Crowland Washes* and *Fodder Lots, Cowbit Wash*, and *Deeping Fen Wash*, in the several Parishes of *Crowland, Spalding*, and *Pinchbeck*, the Hamlets of *Cowbit* and *Peakhill*, and the extra-parochial Place or Lands called *Deeping Fen*, or *Deeping Fen Welland Washes*, all in the County of *Lincoln*.

cclxviii. An Act to change the Name of the *Liverpool* Fire and Life Insurance Company, and for other Purposes relating thereto.

cclxix. An Act to enable the National Mercantile Life Assurance Society to sue and be sued in the Name of a nominal Party, and for other Purposes relating to the said Company.

cclxx. An Act to enable the *Coventry, Nuneaton, Birmingham, and Leicester* Railway Company to sell and transfer their Railway, Works, and Interests to the *London and North-western Midland* Railway Companies, or either of them; and for other Purposes.

cclxxi. An Act to enable the *Saint Helen's* Canal and Railway Company to make Branch Railways to *Warrington* and to *Blackbrook*, and to make certain Alterations in their Railway, and also to take a Lease of the *Rainford* Branch of the *London and North-western* Railway.

cclxxii. An Act to enable the *Great Northern* Railway Company to make a Railway from *Saint Albans* to the *Great Northern* Railway at *Hatfield*, and thence to the Town of *Hertford*.

cclxxiii. An Act for making a Deviation in the Line of the *Taw Vale* Railway, for making Branches therefrom to the Towns of *Bideford* and *South Molton*, for enlarging the Dock, and for amending the Acts relating thereto.

cclxxiv. An Act to enable the *Edinburgh and Northern* Railway Company to improve the Ferry between *Ferry-Port-on-Craig* and the North Shore of the River *Tay*.

cclxxv. An Act for consolidating the *Lynn and Ely*, the *Ely and Huntingdon*, and the *Lynn and Dereham* Railway Companies into One Company, to be called "The *East Anglian* Railways Company."

cclxxvi. An Act for enlarging the present Station of the *London, Brighton, and South Coast* Railway Company at or near *London Bridge*, and for the Division of the present Station between the *London, Brighton, and South Coast* and the *South-eastern* Railway Companies, for the separate Accommodation of the Traffic of such Two Railway Companies.

cclxxvii. An Act to enable the *Edinburgh and Northern* Railway Company to construct Branch Railways to *Saint Andrew's and Newburgh* Harbour, and to divert and alter the Levels of certain Turnpike Roads in the Line of the *Newport* Railway Extension.

cclxxviii. An Act to empower the *London and North-western* Railway Company to make a certain Branch Railway from *Kenilworth* to *Berkswell*, and to widen the Line from *Leamington* to *Coventry*, all in the County of *Warwick;* and for other Purposes.

cclxxix. An Act to enable the *Manchester, Sheffield, and Lincolnshire* Railway Company to sell the Water not required for their Canals called the *Peak Forest* Canal and *Macclesfield* Canal, and to make additional Works in connexion with such Canals.

cclxxx. An Act for widening and improving *Cannon Street*, and for making a new Street from the West End of *Cannon Street* to *Queen Street*, and for widening and improving *Queen Street*, and for effecting other Improvements in the City of *London*.

cclxxxi. An Act to amend an Act for improving the Navigation from the *Hythe* at *Colchester* to *Wivenhoe* in the County of *Essex*, and for better paving, lighting, and improving the Town of *Colchester;* and for making a new Channel and deepening the River *Colne* from *Wivenhoe* to *Ram's Hard* leading towards the Sea.

cclxxxii. An Act for better supplying with Water the Inhabitants of the Borough of *Leicester*, and certain Parishes and Places adjacent thereto, in the County of *Leicester*.

cclxxxiii. An Act for removing Doubts as to the Purchase of Lands by the Dock Company at *Kingston-upon-Hull* in certain Cases.

cclxxxiv. An Act to purchase and define the Manorial and Market Rights of *Stockport*, to establish public Parks, to purchase or lease Waterworks, to build Bridges, and to make other Communications within the Borough of *Stockport*.

cclxxxv. An Act for establishing a general Cemetery at *Wolverhampton* in the County of *Stafford*, and for making certain direct Roads and Approaches to the said Cemetery from the Town of *Wolverhampton* and the Neighbourhood thereof.

cclxxxvi. An Act to enable the *Great Northern* Railway Company to make a Branch Railway near *Sutton* in *Lincolnshire*.

cclxxxvii. An Act to enable the *Great Northern* Railway Company to make certain Alterations in the Line and Levels of their Railway between *London* and the Neighbourhood of *Grantham*.

cclxxxviii. An Act to enable the *East Lancashire* Railway Company to alter the Line and Levels of their Railway, and to make a Branch Railway therefrom; and for other Purposes relating thereto.

cclxxxix. An Act to enable the *East Lancashire* Railway Company to extend the *Liverpool, Ormskirk, and Preston*, and the *Blackburn and Preston* Lines of their Railway, into *Preston;* and for other Purposes relating thereto.

ccxc. An Act to enable the *Northern Counties Union* Railway Company to make certain Alterations in their Railway in the Parishes of *Aysgarth* and *Wensley* in the North Riding of the County of *York*.

ccxci. An Act for making several Lines of Railway between *Penistone, Barnsley, Elsecar*, and *Doncaster*, in the West Riding of *Yorkshire*, to be called "The *South Yorkshire, Doncaster, and Goole* Railway;" and for authorizing the Purchase of Part of the *Sheffield, Rotherham, Barnsley, Wakefield, Huddersfield, and Goole* Railway, and of the *Dun* Navigation and *Dearne and Dove* Canal.

ccxcii. An Act for enabling the *Wear Valley* Railway Company to purchase or lease the *Bishop Auckland and Weardale* Railway, the *Wear and Derwent* Railway, the *Weardale Extension* Railway, and the *Shildon* Tunnel, and to raise an additional Sum of Money; and for other Purposes.

ccxciii. An Act for establishing a general Cemetery for the Interment of the Dead in the Parish of *Newbury* near the Town of *Newbury* in the County of *Berks*.

ccxciv. An Act to empower the *London and North-western* Railway Company to make divers Branch Railways in the County of *Lancaster;* and for other Purposes.

ccxcv. An Act for the Consolidation of the *Duffryn Llynvi and Porth Cawl* Railway Company with the *Llynvi Valley* Railway Company.

ccxcvi. An Act for forming and regulating "The Timber Preserving Company;" and to enable the said Company to purchase and work certain Letters Patent.

ccxcvii. An Act for improving and regulating the Harbour of *Sutton Pool* within the Port of *Plymouth* in the County of *Devon*.

PRIVATE ACTS,

PRINTED BY THE QUEEN'S PRINTER,

AND WHEREOF THE PRINTED COPIES MAY BE GIVEN IN EVIDENCE.

1. AN Act to enable the Minister of the Parish of *Dalkeith* in the County of *Edinburgh* to feu his Glebe Lands lying in the said Parish.

2. An Act to empower the Devisees of the Most Noble *Francis* Duke of *Bridgewater*, deceased, to appropriate to Building Purposes a Portion of *Cleveland Square* in the Parish of *Saint James Westminster*, and to improve the Approaches thereto.

3. An Act to divide the Parish and Rectory of *Doddington* otherwise *Dornington* into Three separate and distinct Parishes and Rectories, and to endow the same out of the Revenues of that Rectory, and to make Provision for the further Division of such Rectories and Parishes; and for other Purposes connected therewith.

4. An Act for dividing, allotting, and inclosing certain Open Marshes and Waste Lands in the Township of *Terrington* in the County of *Norfolk*.

5. An Act for facilitating the Proof of the Will of the Right Honourable *George Obrien*, late Earl of *Egremont* and Baron of *Cockermouth*, in certain Actions in *Ireland*.

6. An Act for exchanging Freehold Estates belonging to *Robert Kellett Long*, Esquire, for Freehold Estates settled by the Will of *Robert Churchman Long*, deceased, and for authorizing the leasing of the settled Estates.

7. An Act for exchanging certain detached Portions situate in the County of *Sutherland* of the entailed Estate of *Poyntzfield*, belonging to Sir *George Gun Monro*, Knight, for the Lands of *Udale*, situate in the County of *Cromarty*, belonging to *James Matheson*, Esquire, contiguous to the said Estate of *Poyntzfield*, and for securing the Purchase of other Lands, to be entailed, and to form, along with the said Lands of *Udale*, Parts of the said entailed Estate of *Poyntzfield*.

8. An Act to rectify an Error in an Act of the last Session, intituled *An Act to enable the Trustees appointed by Mrs.* Jane Ferguson, *deceased, to sell the Lands of* Laverocklaw, *and also certain Subjects situate in the Village of* Ormiston, *vested in them in trust, and to apply the Price to be obtained, and certain Trust Monies in their Hands, in the Purchase of other Lands, for the Purposes of the said Trust.*

9. An Act for exchanging Hereditaments subject to Uses declared by the Will of *Anthony Compton*, Esquire, deceased, for Hereditaments belonging to the Right Honourable *Henry* Earl *Grey*, for selling and exchanging other Hereditaments subject to the same Uses, and for investing the net Proceeds to arise from such Sales and Exchanges in the Purchase of other Hereditaments, to be settled to the same Uses; and to authorize the granting of Leases of Part of the Hereditaments subject to the Uses of the said Will.

10. An Act to enable *Edward Legh* and *Mary Anne* his Wife, and others, to make and authorize Sales, Exchanges, and also Building and other Leases, of Estates at *Newington* otherwise *Newington Lucies* and *Lewisham* respectively in the County of *Kent;* and for other Purposes.

11. An Act to enable *Charles Gordon* Duke of *Richmond* and *Lennox* to borrow a certain Sum of Money upon the security of his entailed Estates, for Repayment to him of a Portion of the Monies laid out by him in the Improvement of these Estates.

12. An Act for enabling certain Estates in *Ireland* of the Right Honourable *William* Earl of *Devon*, deceased, to be sold, and the Proceeds arising therefrom, after Payment of certain Charges and Incumbrances, to be applied in Payment or towards Reduction of the Charges and Incumbrances affecting the Family and other Estates in *England* late of the said Earl of *Devon;* and for authorizing the raising by Mortgage of the Estates in *Ireland*, until sold, of a limited Sum of Money, to be applied, under the Direction of the High Court of Chancery in *England*, in or towards permanently improving the said Estates in *Ireland;* and for making Provision for the Liquidation and Payment of the Principal Monies and Interest; and for other Purposes.

13. An Act for enabling the Sale and Conveyance of certain Cottages, Gardens, and other improved Lands comprised in the Will of the Right Honourable *John William* Earl of *Dudley*, deceased, and for laying out the Sale Mo-

nies in the Purchase of Estates, to be settled to the Uses of the said Will; and for other Purposes.

14. An Act for authorizing the Sale and Exchange of certain Lands, Collieries, Hereditaments, and Mining Stock, forming Part of the Estate of *John Bowes* late Earl of *Strathmore*, and for enabling the Trustees to shift the Charges affecting the Inheritance of the same Lands and Hereditaments; and for other Purposes.

15. An Act to incorporate the President and Trustees of *Huggens's* College at *Northfleet* in the County of *Kent*, and to enable them the better to carry on the charitable Designs of the said College.

16. An Act to increase the Number of Trustees for the Management of the *Dollar* Institution or *John M'Nabb's* School, and to incorporate the Trustees.

17. An Act for enabling Conveyances to be made of the Estate and Interest of *Elizabeth Goddard* (who is of unsound Mind) in Lands and Tenements a Partition or Division whereof is directed by a Decree of the High Court of Chancery made in a Cause "*Whitmore* v. *Goddard*."

18. An Act to authorize the Sale of an Estate called *Morrant's Court* otherwise *Morant's Court* otherwise *Madam's Court* in the County of *Kent*, late the Property of *John Fry*, Esquire, deceased, and for applying the Monies to arise by such Sale in Payment of Incumbrances affecting the said Estate, and for investing the Residue of such Monies for the Benefit of the Parties beneficially interested in the said Estate.

19. An Act for exonerating the Trustees of the deceased *George Paterson* of *Castle Huntly*, Esquire, the elder, of their Expenditure in making Improvements upon the entailed Estates left by him; for enabling them to acquire certain Lands contiguous thereto, and to grant Feus; and for certain other Purposes.

20. An Act for authorizing the Sale of so much of the entailed Lands and Estates of *Dundas* in the County of *Linlithgow*, belonging to *James Dundas*, Esquire, as may be required to pay the Debts affecting or that may be made to affect the said Estates; and for enabling the said *James Dundas* to borrow Money upon the security of the said Lands and Estates, for Repayment of a Portion of the Monies laid out in the Improvement of the said Lands and Estates, and in building a Mansion House and Offices for the same.

21. An Act for authorizing the granting of a new Lease of certain Coal Mines and Hereditaments in the County of *Durham*, late the Estate of *John Lyon*, Esquire, deceased.

22. An Act to vest in Trustees certain Lands in the Vicinity of *Glasgow* which belonged to the late *Colin Gillespie*, for the Purpose of selling a Portion thereof to pay off the Debt affecting the same, and of partitioning and feuing out the Remainder for the Benefit of his Heirs.

23. An Act for extending the Time for enrolling (pursuant to the Statute Third and Fourth of *William* the Fourth, Cap. Seventy-four,) a Deed executed in the Colony of *New South Wales* for the Purpose of enlarging a Base Fee in Hereditaments at *Massingham* in the County of *Lincoln* into an Estate in Fee Simple.

24. An Act for vesting in the Company of Proprietors of *Northam Bridge* and Roads certain Lands in the Town and County of *Southampton* and in the County of *Southampton*, and for empowering them to sell the same.

25. An Act for enabling the Trustees of the Will of *George Charles Rooke*, Esquire, deceased, to carry into effect a Contract for the Purchase of the Life Estate and Interest of *Hannah Rooke*, Widow, in the Real and Personal Estates of the said *George Charles Rooke*, respectively devised and bequeathed by his Will, and for raising Money for that Purpose; and for Payment of the Debts of the said *George Charles Rooke*, and of the Legacies and Arrears of Annuities beqeathed by his said Will; and for other Purposes incidental thereto.

26. An Act for enabling Leases, Sales and Partitions to be made of certain Estates in the County Palatine of *Lancaster*, heretofore belonging to *John Penson* and *Molly* his Wife.

27. An Act to enable the Trustees of a Charity called the *Leeds* Free Grammar School to sell Parts of the Trust Estates belonging to the said Charity, and to Purchase other Lands, for the Uses and Purposes of the said Charity; and for other Purposes.

28. An Act to empower the Dean and Chapter of *Westminster* to sell and Exchange certain Lands and Hereditaments in the Parishes of *Paddington* and *Saint George Hanover Square* in the County of *Middlesex*, and to lay out the Monies to arise from such Sale in the Purchase of other Lands and Hereditaments; and for other Purposes.

29. An Act to vest certain Estates in the County of *York* in *England* in *Alexander William Robert Bosville* and *Godfrey Wentworth Bayard Bosville*, and in *Skye* and *North Uist* in *Scotland* in the Right Honourable *Godfrey William Wentworth* Lord *Macdonald*, and to enable the said Lord *Macdonald* to sell Parts of the said Estates in *Scotland*, for the Payment of Debts; and for other Purposes.

30. An Act for authorizing the Sale to the Right Honourable *William* Baron *Ward* of certain Freehold and Copyhold Hereditaments in the County of *Worcester* devised by the Will of *Thomas Pickernell*, Esquire, deceased, and for directing the Investment of the Purchase Money in other Hereditaments, to be settled in like Manner.

31. An Act for authorizing Leases to be granted for Quarrying and Mining Purposes of certain Estates in the *Isle of Purbeck* in the County of *Dorset*, subject to the Uses of the Will of *Maria Sophia Richards*, Spinster, deceased.

32. An Act for enabling the *Tunstall* Market Company to sell their Estate and wind up their Concerns, and for dissolving the Company.

33. An Act to enable the Trustees and Executors of the Will and Codicil of Sir *John Saint Aubyn*, Baronet, deceased, to raise a Sum of

Money towards the Liquidation of his Debts, by Mortgage of his devised Estates in the County of *Devon,* instead of selling certain Leasehold Hereditaments in the County of *Cornwall;* and to enable the said Trustees to convey the Reversion in Fee Simple in the same Hereditaments, vested in them for that Purpose under the Will of the Reverend *John Molesworth Saint Aubyn,* deceased, to the Uses of the said Will and Codicil of the said Sir *John Saint Aubyn,* so as to convert such Leaseholds into a Fee Simple Estate in possession; and for other Purposes.

34. An Act for the better Support and better Regulation of the Hospital of the Holy *Jesus,* founded in the *Manors* in the Town and County of *Newcastle-upon-Tyne* at the Costs and Charges of the Mayor and Burgesses of the Town of *Newcastle-upon-Tyne* in the County of the Town of *Newcastle-upon-Tyne* aforesaid, and for confirming Sales and other Dispositions made of Estates formerly Part of the Possessions of the said Hospital; and for other Purposes; and for repealing an Act of the last Session of Parliament for the same Purposes.

35. An Act to authorize the Construction of a Canal on the Estates devised by the Will of the late Mr. *Jonathan Passingham,* for the Transport of Bricks manufactured on such Estates, and to enable the Trustees of the Will to complete the Purchase of an adjoining Estate contracted for by them; and for other Purposes.

PRIVATE ACTS,

NOT PRINTED.

36. AN Act to dissolve the Marriage of *Robert Montgomery Martin,* Esquire, with *Jane Avis Frances Martin* his now Wife, and to enable him to marry again; and for other Purposes therein mentioned.

37. An Act to extend the Relief given by an Act of the Sixth and Seventh Years of the Reign of Her present Majesty, intituled *An Act to declare that certain Persons therein mentioned are not Children of the Most Honourable* George Ferrars *Marquis* Townshend.

38. An Act to dissolve the Marriage of *Thomas Brooks* with *Mary* his now Wife, and to enable him to marry again; and for other Purposes.

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TO

HANSARD'S PARLIAMENTARY DEBATES,

IN THE SEVENTH SESSION OF

THE FOURTEENTH PARLIAMENT OF THE UNITED KINGDOM,

10° & 11° VICTORIÆ,

1847.

EXPLANATION OF THE ABBREVIATIONS.

1*R.* 2*R.* 3*R.* First, Second, or Third Reading—*Amend.*, Amendment.—*Res.*, Resolution.—*Com.* Committed.—*Re-Com.*, Re-committed.—*Rep.*, Reported.—*Adj.*, Adjourned.—*cl.*, Clause.—*add. cl.* Additional Clause.—*neg.*, Negatived.—*l.*, Lords.—*c.*, Commons.—*m. q.*, Main Question.—*o. q.* Original Question.—*o. m.*, Original Motion.—*p. q.*, Previous Question.—*r. p.*, Report Progress—*A.*, Ayes.—*N.*, Noes—*M.*, Majority.—*1st Div.*, *2nd Div.*, First or Second Division.

☞ *The * indicates that no Debate took place upon that stage of the Bill.*

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ERRATA.

Page 150, line 20 from bottom, *for* Bill to be read a Second Time, *read* Bill to be read a Third Time.
— 322, last line, *for* Bill be read a Second Time, *read* Bill be read a Third Time.
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